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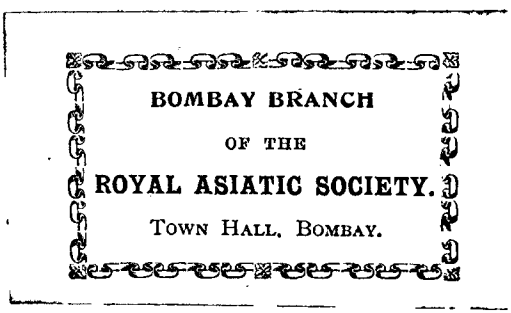

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A

STATISTICAL ACCOUNT

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OF

THE BRITISH EMPIRE:

EXHIBITING ITS EXTENT, PHYSICAL CAPACITIES,
POPULATION, INDUSTRY, AND
CIVIL AND RELIGIOUS INSTITUTIONS.

BY J. R. M'CULLOCH, ESQ.

ASSISTED BY NUMEROUS CONTRIBUTORS.

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ERRATA IN VOL. II.

Page 357. line 19. from top, for "varying from 350*l.* to 1,200*l.* a year," read "varying from 300*l.* to 800*l.* a year."

Page 360. line 23. from bottom, for "Those that are also judges of the Justiciary or Criminal Court have each an additional 500*l.* a year. The president of the Court of Session has 4,400*l.* a year; and the lord justice clerk, or president, of the Court of Justiciary, has 4,000*l.* a year," — read "Those that are, also, judges of the Justiciary or Criminal Court have each an additional 600*l.* a year. The president of the Court of Session has 4,800*l.* a year; and the lord justice clerk, or president of the Court of Justiciary, has 4,000*l* a year, viz. 2,000*l.* as an ordinary judge of the Court of Session, and 2,000*l.* as president of the Criminal Court."

STATISTICAL ACCOUNT

OF THE

BRITISH EMPIRE.

PART III.

INDUSTRY OF THE BRITISH EMPIRE.

CHAPTER II. — MINES AND MINERALS.

THE mineral riches of Great Britain, if not superior, are at least equal to those of any other country. We cannot, it is true, boast of mines of gold or silver; but we possess what is of still more importance to a manufacturing nation, an all but inexhaustible supply of the most excellent coal. Iron, the most useful of all the metals, is found in the greatest abundance, and of an exceedingly good quality, in most parts of the empire. Our tin mines are the most productive of any in Europe; and we have also very productive and valuable mines of copper, lead, manganese, &c. Our salt springs, and beds of fossil salt, are alone sufficient to supply the whole world for an indefinite period.

The most valuable minerals are situated in the western and northern parts of England; and in the southern and middle parts of Scotland. The English mines are by far the most important. Were a straight line drawn from the Isle of Portland, in Dorsetshire, to Rugby in Warwickshire, and thence to Hartlepool, on the coast of Durham, the country to the east of it would be found to be destitute of coal, copper, tin, lead, salt, &c. Iron is, indeed, found in various places to the eastward of the line now mentioned; but, owing to the want of coal, it is not wrought. This district may, therefore, as compared with the other parts of the country, be said to be destitute of minerals; and, to a considerable extent, also, of those branches of industry for the successful prosecution of which an abundant supply of minerals is necessary.

We begin our notices of the different minerals with that of coal, by far the most important and valuable of them all.

1. Coal.—It is hardly possible to exaggerate the advantages England derives from her vast beds of coal. In this climate, fuel ranks among the principal necessaries of life; and it is to our coal mines that we owe abundant and cheap supplies of so indispensable an article. Had they not existed, wood must have been used as fuel; and it is quite impossible that any attention to the growth of timber could have furnished a supply equal to the wants of the present population of Great Britain, even though a large proportion of the cultivated land had been appropriated to the raising of trees. But, however great and signal, this is not the only advantage we derive from our coal mines: they are the principal source and foundation of our manufacturing and commercial prosperity. Since the invention of the steam-engine, coal has become of the highest importance as a moving power; and no nation, however favourably situated in other respects, not plentifully supplied with this mineral, need hope to rival those that are, in most branches of manufacturing industry. To what is the astonishing increase of Glasgow, Manchester, Birmingham, Leeds, Sheffield, &c., and the comparatively stationary or declining state of Canterbury, Winchester, Salisbury, and other towns in the south of England, to be ascribed? It cannot be pretended, with any show of reason, that the inhabitants of the former are naturally more ingenious, enterprising, or industrious, than those of the latter. The abundance and cheapness of coal in the north, and its scarcity, and consequent high price, in the south, is the real cause of this striking discrepancy. The citizens of Manchester, Glasgow, &c. are able, at a comparatively small expense, to put the most powerful and complicated machinery in motion; and to produce results quite beyond the reach of those who have not the same command over coal, or, as it has been happily defined, "hoarded labour." Our coal mines have been sometimes called the *Black Indies;* and it is certain that they have conferred a thousand times more real advantage on us than we have derived from the conquest of the Mogul empire, or than we should have reaped from the dominion of Mexico and Peru. They have supplied our manufacturers and artisans with a power of unbounded energy and easy of control; and enabled them to overcome difficulties insurmountable by those to whom nature has been less liberal of her choicest gifts.

Consumption of Coal in Great Britain. — It is uncertain when coal first began to be used amongst us as fuel: probably it did not long precede the 13th century. In 1281, however, Newcastle is noticed as having some trade in this article. In the reign of Edward I. its use, in London, was prohibited, because of the supposed injurious influence of its smoke. This prohibition was renewed at several subsequent periods, but to no purpose. Experience showed that the smoke was not deleterious; while the growing scarcity, and, consequently, increased price, of timber, and the superiority of coal as an article of fuel, secured its ascendency in despite of every obstacle. Since the reign of Charles I., it has become almost the only description of fuel used in London, and in most other towns and districts throughout the kingdom.

The consumption of coal in Great Britain is immense. It was recently estimated by Mr. Taylor, an experienced coal owner and engineer, at 15,580,000 tons, exclusive of the exports to foreign countries. We suspect, however, that this estimate is a great deal under the mark. The yearly importation of water-borne coal into the port of London amounts, at present, to about 2,050,000 tons. The population of the district that derives its principal supply from this source amounts to about 2,200,000, or 2,300,000, giving an annual consumption of nearly a ton to each individual. There are, no doubt, several very extensive gas works, breweries, &c. in London, in which large quantities of coal are consumed; and the population may be reckoned more opulent, and, consequently, able to consume more fuel than that of most other parts of the kingdom. But, on the other hand, the comparatively high price of coal in the metropolis and its vicinity reduces its con-

sumption by the middle and lower classes considerably below the level of the consumption of the same classes in Lancashire and other coal counties. The accurate researches of Dr. Cleland show that, in 1831, when the population was 202,000, the consumption of coal in Glasgow amounted to 437,000 tons. We believe we shall make a liberal allowance for the coal consumed in cotton factories, and other public works of a description not carried on in London, if we estimate it at 225,000 tons; which would leave 212,000 tons, or more than a ton for each individual, for the domestic consumption of the city. — (*New Statistical Account of Scotland*, No. 7. p. 162.) On the whole, therefore, we should be disposed to think that, including the consumption of coal in gas-works, breweries, distilleries, brick-works, soap-works, sugar-refineries, bakehouses, and such sort of businesses as are carried on in the valley of the Thames, the consumption of Great Britain may be estimated at nearly the same rate, or at about a ton of coal for each individual, exclusive of the consumption in iron-works and other great branches of manufacture. This would give 16,500,000 tons for what may be called the domestic consumption of the island; though, to be within the mark, we shall take it at only 15,000,000 tons. The domestic consumption of coal in Scotland, in 1813, is estimated, in the *General Report* (vol. i. p. 66.), at 2,000,000 tons; the population being, at the time, under 1,900,000. But to this quantity many very large additions have to be made.

The quantity of iron annually produced in Great Britain may be taken at 700,000 tons; and the quantity of coal required, at an average, to produce each ton of iron, including that used by engines, &c., may be estimated at 5½ tons; giving a total of 3,850,000 tons consumed in the making of iron. According to Mr. Kennedy, the quantity of coal consumed in the cotton manufacture, in 1817, was upwards of 500,000 tons; and the manufacture has since more than doubled; so that, allowing for greater economy, we may fairly estimate the consumption of coal in the cotton trade at 800,000 tons a year. Its consumption in the woollen, linen, and silk trades cannot be less than 500,000 tons. The smelting of the copper ores of Cornwall consume annually about 250,000 or 300,000 tons; and it is supposed that the brass and copper manufactures require nearly as much. In the salt-works of Cheshire, Worcestershire, &c. the consumption is probably not under, if it do not exceed, 300,000 tons. The consumption in lime-works may, it is believed, be estimated at 500,000 tons. It would appear, therefore, that the total annual consumption of coal in Great Britain may be moderately estimated as follows: —

	Tons.
Domestic consumption, and smaller manufactures	15,000,000
Production of pig and bar iron	3,850,000
Cotton manufacture	800,000
Woollen, linen, silk, &c.	500,000
Copper smelting, brass manufactures, &c.	450,000
Salt-works	300,000
Lime-works	500,000
	21,350,000
Exports to Ireland	750,000
Ditto to colonies, and foreign parts	600,000
Total	22,700,000

In this estimate no allowance has been made for the coal consumed in the manufacture of hardware and cutlery at Birmingham, Sheffield, &c.; so that for this, among other reasons, we do not think it can be justly accused of exaggeration.

If we suppose that the above quantity of 22,700,0000 tons costs the consumer, at an average, 7*s.* a ton, it will be worth in all 7,945,000*l.* a year!

Supply of Coal in England. — The importance of coal as a necessary of life, and the degree in which our superiority in arts and manufactures depends upon our obtaining supplies of it at a cheap rate, has naturally attracted a good deal of attention to the question, as to the period when the exhaustion of the coal mines may be anticipated. But the investigations hitherto made, as to the magnitude and thickness of the different coal-beds, and the extent to which they may be wrought, are too vague and unsatisfactory to afford grounds for forming any thing like a tolerably near approximation to a solution of this question. But such as they are, they are sufficient to show that many centuries must elapse before posterity can feel any serious difficulties from a diminished supply of coal. According to Mr. Taylor, to whose estimate of the consumption of coal we have already referred, the coal-fields of Durham and Northumberland are adequate to furnish the present annual supply for more than 1,700 years. We subjoin Mr. Taylor's estimate: —

Estimate of the Extent and Produce of the Durham and Northumberland Coal-fields.

	Sq. Miles.
DURHAM.	
From South-Shields southward to Castle Eden, 21 miles; thence westward to West Auckland, 32 miles; north-east from West Auckland to Eltringham, 33 miles; and then to Shields, 22 miles; being an extent or area of	594
NORTHUMBERLAND.	
From Shields northward, 27 miles, by an average breadth of 9 miles	243
	837
Portion excavated, in Durham, on Tyne, say	39
——————, on Wear	40
	79
in Northumberland, say 13 miles by 2	26
	105
	732

Estimating the workable coal strata at an average thickness of 12 feet, the contents of 1 square mile will be 12,390,000 tons, and of 732 square miles	9,069,480,000 Tons.
Deduct 1-3d part for loss by small coal, interceptions by dikes, and other interruptions	3,023,160,000
Remainder	6,046,320,000

This remainder is adequate to supply the present vend from Newcastle, Sunderland, Hartley, Blyth, and Stockton, of 3,500,000 tons, for a period of 1,727 years.

It will be understood that this estimate of the quantity of coal in Durham and Northumberland can only be an approximation, especially as the south-eastern coal district of Durham is yet almost wholly unexplored; but the attempt is made, in the hope of satisfying the public that no apprehension need be entertained of this valuable mineral being exhausted for many future generations.

There is also a considerable extent of coal-field in the northern and south-western districts of Northumberland; but the foregoing comprises that which is continuous and most suitable and available for exportation. — (*Lords' Report*, 1829, p. 124.)

Dr. Buckland, the eminent geologist, considers this estimate as very greatly exaggerated; but in his examination before the committee of the House of Commons, he quotes and approves a passage of Bakewell's Geology,

in which it is stated, that the coal-beds in South Wales are alone sufficient to supply the whole present demand of England for coal for 2,000 years. The passage is as follows: —

"Fortunately we have in South Wales, adjoining the Bristol Channel, an almost exhaustless supply of coal and iron-stone, which are yet nearly unwrought. It has been stated, that this coal-field extends over about 1,200 square miles; and that there are 23 beds of workable coal, the total average thickness of which is 95 feet; and the quantity contained in each acre is 100,000 tons, or 65,000,000 tons per square mile. If from this we deduct one half for waste, and for the minor extent of the upper beds, we shall have a clear supply of coal equal to 32,000,000 tons per square mile. Now, if we admit that 5,000,000 tons from the Northumberland and Durham mines is equal to nearly one third of the total consumption of coal in England, each square mile of the Welsh coal-field would yield coal for 100 years' consumption; and, as there are from 1,000 to 1,200 square miles in this coal-field, it would supply England with fuel for 2,000 years, after all our English coal mines are worked out." — (See also Mr. Bakewell's art. on the *Geology of England*, *ante*, vol. i. pp. 85—90.)*

It is unnecessary to add any thing more, to show the futility of the apprehensions of the speedy exhaustion of our coal mines. But, though we were shut out from South Wales, and though the supply in Northumberland and Durham were far more limited than it really is, we should have nothing to fear. In the West Riding of Yorkshire there are many extensive coal-beds hitherto wholly untouched. In Staffordshire the coal-beds are of immense magnitude, that round Dudley being no less than 30 feet thick! It is true that, in the present slovenly mode of working the mines, more than *two thirds* of the coal is left in the mine and wasted (*Bakewell's Geology*, 4th ed. p. 183.); but it is abundantly certain that, were there any thing like a scarcity of coal apprehended, this wasteful practice would be put an end to, and means would be found of totally exhausting the mines. For all practical purposes, therefore, and in relation to such periods of time as may be supposed to come within the scope of the remotest schemes and combinations, our supply of coal may be considered as infinite.

Supply of Coal in Scotland. — The previous statements as to the consumption of coal apply to Great Britain; but those as to its supply are applicable only to England. We should, however, have a very incorrect notion of the coal-fields of Great Britain, if we omitted to notice those of Scotland: they are of great extent and value; and would of themselves suffice to furnish the whole empire with an adequate supply of coal for a very long series of years. We borrow the following details from the *General Report of Scotland*: —

"Coal is found in several districts of Scotland, as in Dumfriesshire, and Roxburghshire, in the more southern counties; but the great field of Scotch coal stretches from S. W. to N. E., across the centre of the kingdom; and is to be found in greater or smaller quantities, in the shires of Haddington, Edinburgh, and Linlithgow (commonly called the Lothians), Stirling, Clackmannan, Kinross, Fife, part of Perth, Ayr, Renfrew, Lanark, Dunbarton, and part of Argyll. Its average breadth is 33 miles, and its length, on the mainland of Scotland, is 98 miles; consequently, its total area is 3,234 square miles. From this, deducting 360 miles for the space covered by the Frith of Forth, there will be left 2,874 square miles of territory, in most parts of which coal is found at different depths, and of various qualities; and in 600,000 acres of which, it is computed, it may be worked to advantage. The districts through which this great field of coal extends

* For further details as to the consumption and supply of coal, see the *Treatise on the Collieries and Coal Trade*, Lond. 1835, pp. 416—463.

are by far the most populous in the kingdom, containing above 2-5ths of the people in less than 1-10th part of the space; and the soil in general is well cultivated. This improved cultivation is, in no small degree, to be attributed to the advantages arising from the extensive distribution, easy conveyance, and moderate price of coal; for wherever fuel is most abundant, there the population is greatest, and manufactures, commerce, and agriculture, mutually aid and stimulate each other.

"The depth of coal varies, but in general it seems to be rather nearer the surface in the western than in the eastern division of the country. There is also a great variety in the number of its seams or strata, and their thickness. The most extraordinary thickness in the island is at Quarrelton, near Paisley, where five contiguous seams are upwards of 50 feet thick. Seams less than 18 inches are not deemed equivalent to the expense of working." — (*General Report of Scotland*, i. p. 64.)

Number of Persons engaged in the British Coal Trade. — Mr. Buddle, of Wallsend, an extremely well informed coal engineer, gives the following estimate of the number of persons engaged in the different departments of the coal trade on the Tyne and Wear, in the conveyance of coal to London, and in the London coal trade: — "I hold a paper in my hand, stating the number of people employed in the coal trade in each department. I would beg to observe, the returns from the Tyne are official documents; from the Wear I have no returns, but it is by an approximate calculation. The number of persons employed under ground on the Tyne are, — men, 4,937; boys, 3,554; together, 8,491: above ground, — men, 2,745; boys, 718; making 3,463: making the total employed in the mines above and below ground 11,954, which, in round numbers, I call 12,000, because I am pretty sure there were some omissions in the returns. On the river Wear, I conceive there are 9,000 employed; making 21,000 employed in digging the coal, and delivering it to the ships on the two rivers. From the best calculations I have been able to make, it would appear that, averaging the coasting vessels that carry coals at the size of 220 London chaldrons each vessel, there would be 1,400 vessels employed, which would require 15,000 seamen and boys. I have made a summary. There are seamen, 15,000; pitmen and above-ground people employed at the collieries, 21,000; keel-men, coal-boatmen, casters, and trimmers, 2,000: making the total number employed in what I call the northern coal trade, 38,000. In London, whippers, lightermen, and so forth, 5,000; factors, agents, &c. on the coal exchange, 2,500; 7,500 in all, in London. Making the grand total in the north country and London departments of the trade, 45,500. This does not, of course, include the persons employed at the outposts in discharging the ships there."

We regret our inability to lay any similar estimates before our readers of the number of persons engaged in the coal trade in other places; but, in the absence of more authentic statements, the following details may not, perhaps, be unacceptable. The annual trade from the Tyne and the Wear, including the home consumption, is about 4,200,000 tons, or about one fifth part of the entire quantity of coal consumed in, and exported from, Great Britain. Now, as 21,000 persons are engaged above and below ground on the Tyne and the Wear, and in carrying the coal to the ships, it seems reasonable to conclude, that there will be in Great Britain five times this number, or 105,000 persons, engaged in the raising of coal and in its land carriage; and adding to these 30,000 for the seamen, wharfingers, and others employed in the trade from the Tyne, the Wear, and the Tees, to the south, and from Whitehaven, Liverpool, &c. to Ireland, and the trade by sea with other places, we get 135,000 as the total number of persons directly engaged in the British coal trade. We do not, of course, put forth this as an accurate estimate: we have stated the grounds on which it is made; and it is merely to be regarded, in the absence of more authentic information, as an approximation to the real state of the case.

Gradation of Workmen in Coal Mines. — "There are trap-door keepers, boys who attend to the doors, to open and shut them to let the workmen pass to and from the working places; these doors are necessary to keep the current of the air to the front of the working places, and thus sweep off the gas which is evolved from the coal. The next class in age and size is the rolley drivers, who are stouter boys, generally about 12 to 14 years of age; those boys are the drivers of the horses which convey the coals from the crane to the bottom of the shaft. There is another class of boys called putters, who are stronger lads, and whose ages vary from 15 to 22 or 23 years; those lads are employed in bringing the corves filled with coal from the hewers working at the face of the bords, or the pillars working to the crane, where they are lifted to the trains and put upon the rolleys, which bring them to the bottom of the shaft. The next class is the hewers, who are the producers of the coal. The next gradation in rank is the deputy, who is under the immediate direction of the overman; this man has the management of the pit, and the care of the miners, in the absence of the overman. The next in station is the overman, who gives the daily directions to the miner as to the working of the mine; he takes an account of their daily earnings, and sees that each working place is properly ventilated before the miner is permitted to go to it. Then the under-viewer, whose business it is to descend the mine daily, and see that all is right in the ventilation and general management; he consults with the overmen, and gives them such directions as he sees necessary, if nothing occurs of so much moment as to require his previous communication with the viewer, and to take his directions as to what may be necessary for the management of the mine. The viewer is the chief superintendent." — (*Report of* 1835 *on Accidents in Mines*, p. 87.)

Mode of paying Colliers' Wages, &c. — Colliers are always paid by the piece, and consequently their wages, although at the same rate per chaldron, vary according to the quantity of work they have to do; and it is difficult to form an average, they vary so very considerably; they have varied from 14*s.* a week to, in some instances, 40*s.* The colliers can earn up to 5*s.*, or even more, per day; but there is not full employment for them; they sometimes do not earn more than half that sum; 2*s.* 6*d.* is the certain wages that they are hired to receive from their employers, whether they are employed or not; that is, consequently, a tax on the coal owner, during the suspension of his colliery from any accident. The men have the option of finding work elsewhere; but if they cannot do this, they may call upon their master to pay them 14*s.* per week; it was 15*s.* a week till 1828.

Accidents in Coal Mines. — These, we regret to say, are very frequent. They arise principally from explosions of inflammable gas, but partly also from the presence of carbonic acid gas, or choke damp, and partly from other causes. The returns of these casualties are very far from complete; but the committee of the House of Commons appointed to inquire into the subject, in 1835, state, that defective as the returns are, they show that 2,070 persons have lost their lives in coal mines within the previous 25 years. While the committee was sitting, an explosion took place in one of the northern coal mines, by which 101 men and boys were destroyed in an instant! The report of the committee serves rather to show the dangerous nature of the evil to be contended with than any thing else. In many instances, not one of those engaged in mines that have exploded has survived to tell how the accident arose; and the causes of explosions, and the means of obviating them, have not been subjected to the continued or searching investigation of scientific men. It appears that, during the 18 years that have elapsed since the introduction of Sir Humphrey Davy's lamp, decidedly more accidents have taken place in the northern mines than during the previous 18 years. This, however, is not to be ascribed to the instrument not realizing the expectations of its illustrious inventor, but to the fact of very dangerous, or, as they are

expressively called, "fiery mines," being wrought by its means, that must otherwise have been long ago abandoned. It is, however, clearly established that under certain circumstances, and especially when exposed to a current of air, the safety lamp is no protection at all. As matters now stand, all the more dangerous mines require in their working a degree of vigilant and continuous attention, that can hardly be expected from ordinary workmen, and especially from boys. The smallest inattention, the placing a lamp where it should not be placed, the closing of a door that ought not to be closed, or the opening of one that ought to be kept shut, the accidental striking of a spark, or any such occurrence, may occasion an explosion, and the instant death of hundreds.

At present, it would seem to be the opinion of the most experienced miners, that *efficient ventilation* is the only thing to be depended on. But the statements in the report go to show, what we have been otherwise well assured of, that this indispensable security is, in numerous instances, too little attended to.

The question whether the legislature should interfere in such a case is one of much difficulty, and involves various considerations. Certainly, however, it does appear to us that the working of "fiery," or unusually dangerous mines, ought not to be permitted till they have been so ventilated, or otherwise secured, that the risk of danger may be obviated with ordinary attention. To this extent, at least, government would seem to be justified in interfering. It is useless to trust any thing to the disinclination of the pitmen to engage in dangerous mines. By daily exposure to danger they become habituated to and careless about it; and, besides, they are apt to trust implicitly to the reports of "viewers" and others, who are quite as much interested in getting the coal brought cheaply to the pit mouth as in the security of the mine.

But before resorting to other means, it would be well, in the first place, to see whether the resources of science might not be made to yield greater security. And, on this ground, we think that a commission, consisting partly of eminent scientific men, and partly, though in an inferior degree of the most skilful mining engineers, might be advantageously appointed to inquire into the state of the mines, in the view of preventing accidents, and of increasing the security and comfort of the miners.

Profits of Coal Mining. — Instead of the business of coal mining being, generally speaking, an advantageous one, it is distinctly the reverse. Sometimes, no doubt, large fortunes have been made by individuals and associations engaged in this business; but these are rare instances. The opening of a mine is a very expensive and hazardous operation, and of very uncertain result. Collieries are exposed to an infinite number of accidents, against which no caution can guard. Besides explosions which are every now and then occurring from the carelessness of the workmen, and other contingencies, mines are very liable to be destroyed by *creeps*, or by sinking of the roof, and by drowning, or the irruption of water from old workings, through fissures which cannot be seen, and, consequently, cannot be guarded against. So great, indeed, is the hazard attending this sort of property, that it has never been possible to effect an insurance on a coal-work against fire, water, or any other accident.

Mr. Buddle, who is intimately acquainted with the state of the coal-trade, informed the committee of the House of Lords, that "although many collieries, in the hands of fortunate individuals and companies, have been, perhaps, making more than might be deemed a reasonable and fair profit, according to their risk, like a prize in a lottery, yet, as a trade, taking the whole capital employed on both rivers, he should say that certainly it has not been so." — (*First Report*, p. 56.) Again, being asked, "What have the coal owners on the Tyne and Wear, in your opinion, generally made on their capital

employed?" he replied, "According to the best of my knowledge, I should think that *by no means 10 per cent. has been made at simple interest, without allowing any extra interest for the redemption of capital.*" — (p. 57.)

Irish Coal Mines. — There are mines of coal, in Ireland, at Ballycastle, on the north coast of Antrim; at Arigna in Leitrim; at Castle-Comer in Kilkenny, and in some other places. The mines now mentioned are all wrought, but not to any considerable extent. The quality of the Irish coal is, in general, bad; and we agree in Mr. Wakefield's opinion, that "*there is no vein of coal yet discovered in Ireland which can come into general consumption.*" — (*Account of Ireland*, vol. i. p. 621.) Almost all the coal used in Dublin, Belfast, and other towns, is imported from England and Scotland.

Duty on Coal. — A duty on *sea-borne* coal was imposed in the reign of William III., and continued till 1830. A duty of this sort fell, of course, principally on London and the southern and south-eastern counties, and was not at all felt in the coal districts, or in those places to which coal could be conveyed by inland carriage! It is impossible, in fact, to imagine a more partial, unequal, and oppressive impost. At the period of its repeal it amounted to 6*s.* a chaldron, and produced about 900,000*l.* a year. Duties appropriated for local purposes are still charged on the coal imported into London and some other ports.

An Account of the Quantity of Coals brought Coastwise, and by Inland Navigation, into the Port of London, during the Year 1834, comparing the same with the Quantities brought during the Year 1833. — (*Parl. Paper*, No. 51. Sess. 1835.)

Ships.		Ports whence Shipped,	Tons.	
1833.	1834.		1833.	1834.
3,387	3,625	From the Port of Newcastle -	1,060,839	1,142,903
2,369	2,086	— Sunderland -	666,787	559,105
773	1,007	— Stockton -	170,690	221,971
178	248	— Blythe and Seaton Sluice	48,689	64,268
67	176	From Leith, Inverkeithing, Kirkaldy, and other Ports in Scotland - - -	15,138	39,487
130	135	From Swansea, Llanelly, Milford, and other Places in Wales - - - -	32,156	33,200
173	177	From Hull, Goole, Gainsborough, and other Places in Yorkshire - - -	16,110	17,751
—	—	Quantity which passed the Boundary Stones on the Grand Junction Canal at Grove Park, Herts, and on the River Thames, at Staines	4,395½	1,862
7,077	7,404		2,014,804½	2,080,547

Exports. — The coal exported in 1834 amounted to 615,255 tons, the duty on which produced 220,746*l.* All coal exported is now charged with a duty of 4*s.* a ton. Holland, Germany, France, the British North American and West Indian Colonies, and the United States, are the principal foreign markets for British coal.

2. IRON. — We are ignorant of the period when iron began to be made in England; but there is authentic evidence to shew that iron-works were established by the Romans in the Forest of Dean, in Glou-

cestershire, and in other parts of the kingdom.* They were also established, at an early period, in Kent and Sussex; these counties being well supplied, not only with iron ore, but (which was, at the time, of still more importance) with timber, the only species of fuel that was then used in the furnaces. It is to this latter circumstance that the slow increase in the production of iron in England, during a lengthened period, is to be ascribed. Complaints were very early made of the destruction of timber by the iron-works; and in the reign of Elizabeth, when an unusual demand for timber for the navy and for merchant vessels, also, took place, the decrease of timber excited a great deal of attention. At length, in 1581, an act was passed prohibiting the manufacturers of iron from using any but small wood, and from establishing any new works any where within 22 miles of the city of London, and 14 miles of the river Thames, and in several parts of Sussex specified in the act. Soon after this Edward Lord Dudley invented a process for smelting iron ore with pit-coal instead of timber: and it is not possible, perhaps, to point out another invention that has been more advantageous. The patent, which his Lordship obtained in 1619, was exempted from the operation of the act of 1623 (21 James I. c. 23.), setting aside monopolies; but though, in its consequences, it has proved of immense value to the country, the works of the inventor were destroyed by an ignorant rabble, and he was well nigh ruined by his efforts to introduce and perfect his process.† The invention seems, in consequence, to have been, for many years, almost forgotten. The complaints of the destruction of timber continued; so much so, that in 1637 the exportation of iron without licence was prohibited, and fresh restrictions were laid on the felling of timber. But the evil could not be abated by such means; and, in the early part of last century, complaints of the destruction of timber by the iron-works became more prevalent than ever, and their total suppression began to be contemplated as a lesser evil than the continued decrease of the stock of timber. At this period, more than two thirds of the iron made use of was imported, and the condition of the manufacture was most unprosperous. But the growing scarcity and high price of timber, coupled with the increasing demand for iron, at last succeeded in drawing the attention of some ingenious persons to Lord Dudley's process; and, about 1740, iron was made at Colebrookdale, and one or two other places, by means of pit-coal, of as good a quality as that made with timber. From this period the business steadily increased; at first, however, its progress was comparatively slow; and the furnaces of Kent and Sussex were not wholly relinquished for more than 30 years after iron began to be largely produced by means of pit-coal. The great demand for iron occasioned by the late war, and the obstacles which it threw in the way of supplies from abroad, gave the first extraordinary stimulus to the manufacture, which has now become of vast importance and great value. In 1740, the quantity of pig-iron made in England and Wales amounted to about 17,000 tons, produced by 59 furnaces. Since this epoch, the increase is believed to have been as follows; viz.:—in 1750, 22,000 tons; in 1788, 68,000 tons, produced by 85 furnaces; in 1796, 125,000 tons, produced by 121 furnaces; in 1806, 250,000 tons, produced by 169 furnaces; and in 1820, about 400,000 tons were produced, but there is no account of the number of furnaces. From extensive inquiries made by government and others connected with the iron trade during several years previously to 1832, the following statements have been deduced. They exhibit the districts in which iron is made, the number of furnaces, and the total quantity produced in 1823, 1825, 1828, and 1830:—

* *Pennant's Wales*, ed. 1810, vol. i. p. 89.

† *Report of Committee of House of Commons on Patents*, p. 168, &c.

Districts.	Number of Furnaces.								Tons of Iron produced.			
	1823.	1825.			1828.			1830.				
	Total.	Total.	In Blast.	Out.	Total.	In Blast.	Out.	Total.	1823.	1825.	1828.	1830.
South Wales	72	109	80	27	100	89	11	113	182,325	230,412	279,512	277,643
Staffordshire	84	108	80	27	120	95	25	123	133,590	182,156	219,492	212,604
Shropshire	38	49	36	13	48	31	17	48	73,418	89,596	81,224	73,418
Yorkshire	26	34	22	12	34	17	17	27	27,311	39,104	32,968	27,926
Scotland	22	25	17	8	25	18	8	27	24,500	33,540	37,700	37,500
Derbyshire	15	19	14	5	18	14	4	18	14,038	22,672	22,360	17,999
North Wales	20	14	8	6	19	12	7	20	12,000	17,756	25,768	25,000
Forest of Dean		14	- -	5	2	1	1		- -	- -	2,600	
Various			- -		1	1	-		2,379	- -	1,500	5,327
Ireland		2	2	-	-	-	-		- -	5,000		
Totals	277	374	259	103	367	278	90	376	469,561	618,236	703,184	678,417

The price of pig-iron had sunk in 1832 so low as 4*l.* 10*s.* a ton; and, as this was not a price at which some of the works could be carried on with a profit, it was generally supposed that a good number of furnaces would have to be put out of blast. Owing, however, to the increase of demand, prices have risen to 6*l.* a ton, without any diminution of the number of furnaces; and the quantity of iron produced at present (1835) is at least as great as in 1830, and, we believe, greater.

About three tenths of the total quantity of iron produced is used in the state of pig, or cast iron, and is consumed principally in Great Britain and Ireland; the exports of pig iron do not exceed 22,000 tons, and are sent principally to the United States and France. The other seven tenths are converted into wrought iron, being formed into bars, bolts, rods, &c. The exports of the different sorts of iron amount, at present, to about 155,000 tons; which, at 10*l.* a ton, would be worth 1,550,000*l.*

Supposing the total quantity of pig-iron produced in Great Britain to amount to 700,000 tons a year, and to be worth, at an average, 6*l.* a ton, its total value will be 4,200,000*l.*; and the additional labour expended in forming the pig-iron into bar-iron, that is, into bars, bolts, rods, &c., may, probably, add about 1,200,000*l.* more to its value; making it worth in all about 5,400,000*l.*

The increased production of iron has not only led to its exportation in very large quantities, but has reduced our imports of foreign iron for home consumption from about 34,000 tons, which they amounted to at an average of the 5 years ending with 1805, to about 16,000 tons, consisting principally of Swedish iron, which is subsequently manufactured into steel, for which it is peculiarly well fitted.

Amount of Capital and Number of Hands engaged in the Production of Iron. — It appears from the previous statements, that South Wales (including Monmouthshire), Staffordshire, and Shropshire, particularly the first two, are the grand seats of the iron trade. We regret our inability to lay any details before the reader on which much reliance can be placed as to the amount of capital and the number of persons engaged in the business. In 1806, it was proposed to lay a tax on pig-iron; and, among other arguments in opposition to the tax, the producers contended that the capital employed in the establisment and support of the works amounted to 5,000,000*l.*; and that they supported a population of 200,000 persons. Inasmuch, however, as this statement was made by persons engaged in the trade, and anxious, by displaying its importance, not only to avert the threatened tax, but to increase their own consequence in a public point of view, it may fairly be reckoned as stretched to the utmost, or, rather, as somewhat exaggerated. The production of iron has been a good deal more than doubled since 1806; but even admitting the estimate of the capital, &c. then engaged in it to have been correct, they would not be increased, owing to the improvements that have been made in the business, in any thing like a corresponding proportion. Without pretending to give any very positive opinion on the subject, we

should not be inclined to estimate the total amount of capital at present engaged in the trade at more than 7,000,000*l.*, and the number of persons engaged in, and dependent on, the business at more than 220,000.

In corroboration of this view of the matter, we extract from the treatise *On the Manufacture of Iron*, written for the Society for the Diffusion of Useful Knowledge, the following statement of the number of persons employed on a work where there are 5 furnaces, and a forge and mill capable of manufacturing about 200 tons of bar-iron weekly. The women and boys employed are stated separately from the men, and from each other: —

	Men.	Women.	Boys.
Colliers, including road-men, horse-tenders, and sundry labourers	280	0	27
Miners, including stacking and loading the mine, road-men, horse-tenders, and sundry labourers - - - - -	395	40	73
Furnaces, &c., including furnace labour; viz., keepers, fillers, refiners, cokers, pig-weighers, engineers, fitters-up, moulders, smiths, carpenters, sawyers, stablemen, brickmakers, masons, machine-men, carriers, &c. &c. - - - - -	257	39	3
Forge and mill; viz., puddlers, shinglers, rollers, catchers, straighteners, smiths, ballers, engineers, bar-weighers, clerks, &c. &c.	145	5	55
Agents, overlookers, and others, not included in the above -	31	0	0
Totals - -	1,108	84	191

Thus it appears that 5 furnaces, with a corresponding establishment for the manufacture of bar-iron, provide *direct* employment for nearly 1,400 individuals. Supposing, now, that a work of this description produces a twentieth part of the iron made in South Wales and Monmouthshire, and that the workpeople employed represent a pretty fair average, — both of which suppositions are believed to be about the truth, — it follows, that the iron-works of South Wales and Monmouth afford direct employment to about 28,000 people. But the product of the iron-works of South Wales is to those of the whole kingdom as 277 to 680, or as 1 to 2·45. Hence, assuming that the proportions of workmen to the work are the same in other parts as in South Wales, the total number of persons directly engaged in the business will be 28,000 × 2·45, or 69,000. On the hypothesis, that from 3 to 3½ persons are dependent on those engaged in the works, the total number for which they provide subsistence will be from 207,000 to 240,000. We believe the lesser number is the nearest to the mark.

The iron-works of South Wales and Monmouthshire are comprised in a range of country of about 25 miles from one extremity to the other, stretching in the direction of north-west and south-east. The works at Hirwain in Brecknock, and Aberdare in Glamorgan, form the extreme points to the westward. Then comes Merthyr Tydvil, the focus, as it were, of the manufacture; and from Merthyr there is a continued line of furnaces formed by the works at Dowlais, Romney, Tredegar, Sir Howey, Beaufort, Nant y Glo, Blaenafon, Varteg, Abersychan, and Pontypool, which finishes the principal range in that direction.

The progress of the manufacture in South Wales and Monmouthshire has been rapid beyond all precedent. Merthyr Tydvil and the contiguous district, the seat of the immense works of Messrs. Guest and Co., the largest in the empire; of Crawshay and Co., Thomson and Co., &c.; was, about the middle of last century, an insignificant village. In proof of this, it is sufficient to state, that, in 1755, the land and mines for several miles round the village, the seat of the great works now erected, were let for 99 years for 200*l.* a year! In 1831, the population of Merthyr Tydvil was upwards of 22,000. Tredegar, in Monmouthshire, which, at the beginning of this century, was an uninhabited district, has now a population of between 6,000 and 7,000 persons; and the increase in several other places has been similar.

The Staffordshire iron-works, including those of Warwickshire, are principally situated in the district stretching from Wolverhampton round by Walsall to Birmingham, and then round by Dudley. Colebrookdale is the principal seat of the iron-works of Shropshire.

We apprehend that the quantity of iron stated in the previous table to be made in Scotland in 1820 is a good deal within the mark; but in the interval the business has very much increased in that part of the empire. In June 1835, there were 29 furnaces in blast in Scotland, the annual produce of which was estimated at about 75,000 tons; and there were then in preparation 6 additional furnaces, calculated to produce 13,000 tons a year. With the exception of those at Carron, contiguous to the Forth, and those at Muirkirk, in Ayrshire, almost all the other works lie within no great distance of Glasgow. And now that the business has begun to be carried on upon a great scale, and with spirit and success, the advantages which the country round that city enjoys, for its farther prosecution in an inexhaustible supply of coal and ironstone, with the command of improved communications by land and water, seem to warrant the presumption that, at no distant period, it will rank among the principal seats of this important branch of industry. — (*Account of Glasgow, New Statistical Account of Scotland*, No. 7. p. 161.)

Instead of using, as had hitherto been done, the cool blast, or a blast of common atmospheric air, in working furnaces, the proprietors of the Clyde iron-works have recently begun to use the "hot blast," or air heated to a high temperature. This is a discovery which promises to be of material importance; and will, it is believed, lead to a considerable saving of expense in fuel, and, consequently, in conducting the manufacture. It has been adopted at several works in England and France, as well as in Scotland.

Account of the British Iron (including unwrought Steel) exported from Great Britain in 1834, specifying the Countries to which it was exported, and the quantities sent to each. — (*Parl. Paper*, No. 299. Sess. 1835.)

Countries to which exported.	Bar Iron.	Bolt and Rod Iron.	Pig Iron.	Cast Iron.	Iron Wire.	Wrought Iron; viz.:				Old Iron for Re-manufacture.	Unwrought Steel.
						Anchors and Grapnels.	Hoops.	Nails.	Of all other Sorts (except Ordnance).		
1834.	Tons cwt.	Tons cwt.	Tons cwt.	Tons cwt.	Tons cwt.	Tons cwt.	Tons cwt.	Tons cwt.	Tons cwt.	Tons cwt.	Tons cwt.
Russia	281 15	15 0	25 0	99 12	7 2	75 9	- -	20 6	68 14	- -	20 15
Sweden	13 0	12 0	- -	8 13	- -	0 19	0 10	0 1	19 3	- -	0 16
Norway	37 15	22 14	- -	11 10	1 6	4 19	16 18	0 16	44 2	- -	2 14
Denmark	914 10	201 9	657 10	38 0	2 8	28 8	339 6	3 4	326 7	- -	2 11
Prussia	165 6	207 0	240 0	6 19	- -	- -	175 1	11 15	10 1	- -	1 15
Germany	3,253 18	973 8	397 0	310 5	94 11	57 6	1,028 2	32 9	1,225 6	- -	77 13
Holland	3,918 14	349 5	1,213 3	879 18	52 13	120 4	2,096 12	9 1	2,020 15	1 0	80 6
Belgium	381 5	15 10	1,247 2	23 18	86 1	24 4	3 0	9 6	65 15	- -	57 14
France	1,752 16	121 15	4,869 3	197 18	0 11	151 13	425 12	0 10	598 4	- -	187 7
Portugal, Azores, and Madeira	2,470 0	1,284 6	15 0	97 6	10 8	158 9	1,477 19	554 18	623 10	- -	6 15
Spain and the Canaries	291 16	27 10	60 0	68 13	28 15	18 16	1,339 11	10 19	190 13	10 0	9 14
Gibraltar	956 5	0 12	- -	6 16	19 7	8 9	123 13	14 17	157 17		
Italy	10,765 2	1,975 5	695 0	26 15	11 16	121 7	1,526 8	- -	913 1	40 0	38 19
Malta	642 11	194 11	- -	1 10	- - -	7 4	73 12	1 5	129 17		
The Ionian Islands	442 13	7 9	- -	6 7	- -	3 18	4 12	1 2	10 16	- -	0 13
Turkey and Continental Greece	5,389 5	746 16	- -	55 1	6 17	88 9	169 15	121 7	829 13		
Morea and Greek Islands	1,231 15	52 6	- -	- -	- -	72 15	2 0	0 9	58 0		
Asia	8,105 11	2,372 3	307 10	743 15	7 6	316 9	856 8	474 10	3,905 17	7 1	24 5
Africa	2,524 11	49 8	720 0	575 10	7 12	214 19	274 15	111 2	782 4	2 0	12 18
British Colonies in North America	4,215 15	227 10	819 3	1,806 8	12 3	198 7	325 5	1,181 0	1,980 1	- -	62 10
British West Indies	321 3	17 15	35 0	1,028 5	1 14	34 18	853 18	997 12	1,800 1	- -	4 16
Foreign West Indies	1,487 5	3 10	175 0	796 6	5 9	4 2	303 8	458 19	335 15	- -	4 10
United S. of America	18,410 3	112 3	10,072 10	5,996 19	37 19	80 5	405 8	219 7	3,758 12	432 0	1,099 7
Brazil	905 0	48 15	33 0	435 8	0 6	61 12	311 4	520 6	360 16	- -	0 15
Mexico, and the States of South America	1,427 13	42 10	15 0	364 11	1 13	29 18	172 11	185 5	439 2	- -	2 14
Isles Guernsey, Jersey, Alderney, and Man	527 6	70 11	191 18	283 13	1 15	58 5	40 12	73 8	262 7	5 0	9 6
Totals	70,809 2	9,154 3	21,788 1	13,870 5	398 0	1,941 15	12,046 7	5,005 1	20,917 0	497 1	1,709 2

*** Quarters of a hundred-weight and pounds are omitted in the printing of this table; but they are taken into account in the summing up.

Iron was formerly made in considerable quantities in various parts of Ireland, its manufacture having contributed in no slight degree to the destruction of the woods in that country. Boate tells us that the iron works of the great Earl of Cork, in Munster, produced to his lordship a clear profit of 100,000*l.* (*Natural History*, p. 137. ed. 1652.); but, owing to the scarcity of timber, the iron works were subsequently almost entirely abandoned. The attempts that have been made, within these few years, to revive them at Arigna and other places have been very unsuccessful. — (See vol. i. p. 397.)

3. Tin—is exclusively produced in Cornwall and Devonshire, but principally in the former. The tin mines of Cornwall have been wrought from the remotest antiquity; the Phœnicians being supposed by the most judicious critics to have traded thither for tin. In more modern times, the business of mining has been prosecuted with various skill and success. During the reign of Elizabeth, some German miners were brought over, by whom the processes were considerably improved. The produce of the mines has fluctuated a good deal during the last half century. At an average of the 10 years, ending with 1834, it may be taken, inclusive of the washings, at about 4,500 tons a year, worth from 65*l.* to 80*l.* a ton. The exports in 1834 did not exceed 467½ tons. The foreign market is principally supplied with tin from Banca.

Duties on Tin. — All tin produced in Cornwall has, for a lengthened period, been subject to a duty of 4*l.* a ton, payable to the Duke of Cornwall: the tin raised in Devonshire is subject to a similar duty of 1*l.* 13*s.* 4*d.* a ton. This duty produces from 15,000*l.* to 20,000*l.* a year; and is felt to be a serious grievance, not only from its amount, but from the vexatious regulations under which it is collected. Though the orders sent to the miner were for tin of a peculiar description, he is not allowed to melt it at once into the required form, but is obliged to cast it, in the first instance, in *blocks*. This regulation being complied with, it might be expected that the tin would be surveyed by officers at the smelting-house, and the duty charged accordingly; but instead of this, the miner is obliged to convey it, sometimes as far as eight or ten miles, to one of the *coinage towns*, where it is (and where only it can be) coined; that is, a small piece is struck off one of the corners, and it is impressed with the arms of the duchy, and the duty paid; and this done, the tin has frequently to be carried back, before it can be shipped, to the very place whence it was taken to be coined! But even this is not all. The ceremony of coinage is only performed quarterly; so that, however pressing the demand for tin may be in the interim, the miner cannot supply it. There are also certain fees payable on the coinage, particularly if it take place during the Christmas and Lady-day quarters; so that if we add to the duty of 4*l.* a ton those charges, and a reasonable allowance for the expence of carriage, trouble, and inconvenience to which the miner is put, the whole may be moderately estimated at 5*l.* a ton. It is surely high time that this tax, and the preposterous regulations connected with it, were abolished.

4. Copper.—This metal is most abundant in Cornwall, where it is produced on a very large scale, and is of much more importance than tin. The ores of copper and tin being frequently intermixed, it is natural to suppose that the former would be wrought to some extent at an early period; but it is only since the beginning of the 18th century that a due sense began to be entertained of their superior importance, and that they were wrought with spirit and success. From 1736 to 1745, they annually furnished about 700 tons of fine copper. From 1756 to 1765, they yielded 1,800 tons. In 1775, the produce increased to 2,650 tons a year. In 1798, it exceeded 5,000 tons; and at present it amounts to about 12,000 tons. Exclusive of the copper raised in Cornwall, considerable quantities are raised in Anglesey and other parts of Wales, in Devonshire, Staffordshire, &c. The famous mines in the Parys mountain, near Amlwch in Anglesey, were discovered in 1768. The ore being in the mountain, it was not necessary to work it like the Cornish mines, by shafts and levels, but to dig at once into its sides. The

supplies of ore were for a long time abundant beyond all precedent, and formed a vast source of wealth to the adventurers and proprietors. But for many years past the productiveness of the mine has been declining, and it now yields comparatively little. In all, it is supposed to have furnished about 85,000 tons of pure metal, amounting, at 90*l.* a ton, to the enormous sum of 7,650,000*l.* ! At present, the entire produce of the mines of Anglesey and other parts of Wales does not exceed 900 tons a year. Previously to 1770, the mine of Ecton, in Staffordshire, was one of the most productive in the kingdom. The following statement, extracted from the Transactions of the Cornwall Geological Society, contains an authentic

Account of the Produce, in pure Metal, of the Copper Mines of Great Britain and Ireland, during the 5 years ending with the 30th of June, 1827.

Districts.	1823.	1824.	1825.	1826.	1827.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*
Cornwall - - -	8,070	8,022	8,417	9,140	10,450
Devon - - -	510	451	554	482	424
Other parts of England -	5	23	20	21	89
Anglesey - - -	740	726	726	758	735
Other parts of Wales - -	120	126	131	186	143
Scotland - - -	13	- -	- -	- -	- -
Ireland - - -	257	488	512	482	540
Totals -	9,715	9,836	10,350	11,069	12,381

Owing to the want of coal, the Cornish copper ores are not smelted on the spot, but are shipped from the the nearest port to the mine for Swansea, where the principal smelting companies have their establishments. Formerly there were one or two companies which smelted in Cornwall; but it seems to have been found, by experience, that it is less expensive to carry the ore to the coal than to bring the coal to the ore. The copper produced in Ireland is also carried to Swansea to be smelted; so that by taking an account of the quantity of copper sold in Cornwall, at Swansea, Devon, and Anglesey, we get a pretty accurate account of the total produce of the different mines of the empire.

Account of the Quantity of pure Copper sold in Cornwall, at Swansea, and in Devon, Anglesey, &c. — (Papers published by Board of Trade, Part III. p. 194.)

Years.	In Cornwall.	In Swansea.	In Devon.	In Anglesey.	Total in the United Kingdom.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*
1820	7,508	- -	- -	619	8,127
1821	8,515	344	871	558	10,288
1822	9,140	388	716	774	11,018
1823	7,927	353	694	705	9,679
1824	7,823	605	654	623	9,705
1825	8,226	729	667	736	10,358
1826	9,026	668	615	784	11,093
1827	10,311	772	562	681	12,326
1828	9,921	977	533	757	12,188
1829	9,656	1,221	454	726	12,057
1830	10,748	1,196	510	778	13,232
1831	12,044	1,240	486	915	14,685
1832	11,947	1,320	247	783	14,450
1833	11,191	1,158	307 } Stafford 99 }	505	13,260
1834	11,224	1,580	538	700	14,042*

* This is exclusive of the quantity raised in Staffordshire.

The total produce of copper may, therefore, be estimated, at present, at about 14,000 tons a year, worth from 90*l.* to 100*l.* a ton, or from 1,260,000*l.* to 1,400,000*l.* Of this quantity from 8,000 to 9,000 tons are exported, partly wrought and partly manufactured. More than the half of all the copper exported is shipped for the East Indies and China, France and the United States being the next greatest markets. Foreign copper imported is altogether intended for exportation.

Copper is exempted from the tax, and the oppressive regulations growing out of it, laid on tin.

Working of the Tin and Copper Mines of Cornwall. — The number of these mines in this county is not accurately known ; old workings are frequently given up and new ones opened, while those that were formerly abandoned are, in numerous instances, again brought into activity. On the whole, however, the number of mines at present wrought may be taken at about 140, those of copper being by far the most numerous and important. The veins or *lodes* vary in thickness from 3 inches to no less than 30 feet. The mines are sometimes wrought to a very great depth. In the consolidated mines in the parish of Gwennap, between Truro and Redruth, there is a shaft 265 fathoms deep!— (*Report of* 1835 *on Accidents in Mines*, p. 11.) Two large steam engines are not unfrequently employed on one mine; and there are many instances in which a single engine, with its apparatus, and the sinking of the shaft, has cost upwards of 10,000*l.* The power of the steam engines at present (1835) employed in the Cornish mines is supposed to be equivalent to about 45,000 horses. — (*Report of* 1835, p. 18.)

Mines in Cornwall are generally undertaken by companies of adventurers, the shares being divided into 64th, and sometimes into 128th parts. If the mine be upon a waste, it is the property of the King, as Duke of Cornwall, to whose agents the adventurers apply for a lease. If the mine be private property, its owners are of course applied to. It is usually let for 21 years, or for such part of that time as the workings shall be proceeded in. The payment to the proprietor, or the lordsman, varies, according to circumstances, from 1-8th to 1-13th part of the ores raised.

The ore, after being brought to the surface, is washed, reduced to a powder, and otherwise prepared, so as to be fit for the smelting-house.

Besides the tin mines, there are *stream-works*, which supply a considerable portion of the finest tin. They occur in valleys, and derive their name from the manner in which they are worked, which consists chiefly in washing the alluvial soil, by directing a stream of water over it, when the earthy particles being washed away, the tin ore remains in a separate form. It is a singular fact that the only traces of gold to be found in Cornwall are in those alluvial depositions, in which it sometimes occurs in small grains, mostly detached but occasionally adhering to quartz. — (*Guide to Mounstbay*, p. 197. 2d edit.)

The miners, whether tin or copper, are sometimes paid by the piece, and sometimes by a certain per centage of the ores they raise. The workmen relieve each other by turns, each set generally continuing in the mine for *eight* hours; but when working at the bottom of very deep shafts, they relieve each other every *six* hours. When it is remembered that the miner always works in a damp atmosphere, frequently with his feet in water, and his clothes perfectly wet, his occupation will seem any thing but enviable. But if he make what he calls wages, he is satisfied; and is cheered by the prospect of attaining to the rank of *captain* or overseer.

Tin and copper mining, like that of the precious metals, partakes largely of the nature of a lottery. There is no certainty beyond the present moment. Veins that promise much in their beginning sometimes lose all traces of advantage below, and occasion immense loss to the adventurers, or continue to be wrought for many years under *promising* symptoms, but with little or no

profit. And, on the contrary, many mines and veins, which, at the outset, promised little or nothing in the estimation of experienced miners, have yielded very large profits. Hence, although great losses often occur, great fortunes are sometimes made, and even to an amount which far outstrips the expectations of the most sanguine. — (*Phillip's Mineralogy and Geology*, pp. 194—211.) Dr. Paris mentions that *Crennis* copper mine returned a clear profit to the adventurers of 84,000*l.* in one year! *Huel Alfred*, during the last period of its working, yielded very nearly 130,000*l.*, after defraying every necessary outlay. The expense attending the working of some of the large mines is very great. In the mine of *Huel Vor*, no less than 3,000 lbs. of candles are consumed in a month, and 3,500 lbs. of gunpowder. — (*Guide to Mountsbay*, 2d ed. p. 190.)

The miners and others engaged in the tin mines of Cornwall and Devonshire are under the especial jurisdiction of the Stannary courts, held by the lord warden of the Stannaries, or his deputy. These courts were established about 500 years ago, and have not undergone any material alteration since the reign of Charles II. No miner or other person *bonâ fide* engaged in the tin mines can be sued in any other court except upon pleas of land, life, or member. No writ of error lies from the Stannary courts to any court in Westminster Hall, but an appeal may be made to the privy council of the Duke of Cornwall. — (*Blackstone's Commentaries*, book iii. cap. 6.)

The capital employed in connection with the copper and tin mines of Cornwall has been estimated as under: —

In the working of the mines	£1,000,000
In the wharfs and trades dependent on them	120,000
In waggons, carts, horses, &c.	100,000
Smelting works and mills	1,000,000
Collieries	100,000
Shipping	120,000
Total	£2,440,000

The number of persons employed in connection with the mines are supposed to be as under: —

In and on the mines	60,000
Carriers	2,500
Sailors	2,500
In the smelting works	6,000
Boatmen	5,000
Total	76,000

(*Phillip's Mineralogy, &c.*, p. 210.)

5. LEAD.—Mines of this valuable mineral have been wrought in England from the era of the Romans. It does not, however, appear that it was obtained anywhere except in Derbyshire, till 1289, when it was discovered in Wales: and the fact having transpired that silver was found intermixed with the Welsh ores, gave a new stimulus to the business; but in other respects the discovery of silver was of no use; the quantity obtained being insufficient to defray the cost of its separation from the lead. At present, the most productive lead mines are situated in Allendale and other parts of Northumberland; in Aldstone-moor, &c., in Cumberland; in the western parts of Durham; in the hundred of High Peak, in Derbyshire; in Flintshire; and in Scotland, at Leadhills, on the confines of Dumfriesshire and Lanarkshire. There are no means by which to arrive at any correct estimate of the annual produce of these mines; but in the aggregate it must be very large, and is believed, indeed, not to fall short of from 45,000 to 50,000 tons. The foreign

lead imported is mostly all re-exported; so that the supply obtained from our own mines must be adequate, not only to furnish an annual export of from 10,000 to 14,000 tons a year, but to supply the home consumption, which is very great. The price of lead has considerably declined, since 1820,—a result principally to be ascribed to the increased supplies of lead from Spain, and to the comparatively cheap rate at which they are furnished.

Lead is raised in Ireland in different parts; in the county of Wicklow, at Carne in Wexford, and in Armagh and Donegal. But some of the lead mines that were formerly wrought in Kerry and Mayo have been abandoned.

That very rare mineral called *black lead, plumbago,* or *wad,* is found in Borrowdale in Cumberland. The mines in this place have been wrought since the days of Queen Elizabeth, and furnish the very best material hitherto discovered for making pencils. Formerly the proprietors of the wad mines enjoyed a complete monopoly of the market; and by occasionally shutting them up, and limiting the supply of lead, kept its price at a high level, and realised large profits. Latterly, however, black lead has been imported in considerable quantities, both from Mexico and Ceylon; and being, though inferior, cheaper than the English, has superseded the latter for most purposes, except making the best pencils. The lead is not found in veins, but in detached pieces, or in what are called *sops* or *bellies;* so that it is often lost, and the miners are frequently engaged for a long time seeking at random for a new supply. The quality of the mineral differs materially. The lightest is the best. It is sawn into the proper form for pencils by the manufacturers of Keswick and London. — (*Baines's Guide to the Lakes,* 3d ed. p. 300.)

6. SALT.—There is no country better supplied than England both with brine springs and beds of fossil or rock salt. The former have been known and wrought at Northwich, Winsford, Middlewich, and other places contiguous to the river Weaver in Cheshire, and at Droitwich in Worcestershire, from a very remote era. But the beds of rock salt were not discovered till a comparatively recent epoch; the first of them having been met with in 1670, about 34 yards from the surface, in searching for coal in the vicinity of Northwich. Another bed of fossil salt was discovered in 1779, near Lawton, 42 yards below the surface; and others have since been discovered in other parts of the surrounding country. These fossil beds are generally of very great thickness; and it has been found that, upon cutting through the indurated marl at the bottom of the first bed, there was another below it of still greater thickness. In one instance a third bed has been pierced to the depth of 25 yards, without having been cut through. — (See Vol. I. p. 91.) It has been ascertained that there are also beds of fossil salt at Droitwich; but they are not wrought, and comparatively little is known with respect to them.

In the early part of last century, the salt made in England was supposed to be inferior to that of several other countries; and while a good deal of foreign salt was imported, very little native salt was exported. But the manufacture progressively improved; and for these many years past, the production of salt for home consumption has been carried to a vast extent, and has become an object of great national importance.

Rock salt is not generally, when dug from the mine, of such a degree of purity as to admit of its being used for most purposes, without being refined; and by far the largest part of the salt produced in Cheshire, with the whole of that produced in Worcestershire, is obtained from the brine springs. In the former, the brine being pumped up, by means principally of steam-engines, from very deep wells, is collected in reservoirs, where it is sometimes saturated, or strengthened, by an admixture of crushed rock salt. It is then conveyed into large, broad, shallow pans placed over furnaces, and the water being evaporated, the salt is taken out. Different qualities of salt, such as the *stoved* or *lump salt, common salt, large-grained flaky salt, large-grained fishery salt,* &c. are produced according to the mode in which the heat is applied, and the

evaporation conducted. Animal jelly, butter, and other foreign substances, are sometimes made use of to assist in clearing the brine, and in the granulation of the salt.

The coal used at the salt works at Northwich, Winsford, and other places, is obtained from the collieries in the southern part of Lancashire, near St. Helen's. The flat-bottomed boats (*flats*) which convey the salt from the different works to Liverpool, after discharging their cargoes, return loaded with coal; so that few channels of communication are more crowded than the Weaver.

During the 10 years ending with 1806, the average quantity of white, or manufactured salt, brought down the Weaver, amounted to 139,317 tons a year. — (*Holland's Cheshire*, p. 321.) But the business has been since very greatly increased; so much so, that, during the 3 years ending with 1834, the average annual supply of white salt, sent down the Weaver, for home consumption and exportation, amounted to 368,594 tons, exclusive of about 15,000 tons a year sent by canals into different parts of the interior, and of about 27,000 tons a year sent down the river to be used at the Gartshore and Dungeon works, on the Lancashire side of the Mersey, and at Frodsham. Of this vast quantity, Northwich furnishes about 220,000 and Winsford about 150,000 tons. — (*Private information.*)

During the 10 years ending with 1806, 51,109 tons of rock salt was sent down the Weaver, being destined mostly for Ireland, and for exportation. — (*Holland's Cheshire*, p. 317.) This department of the business has also greatly increased in the interval, though not so much as the other. The supply of rock salt at present brought down the Weaver, varies from about 90,000 to 95,000 tons a year; but as a part of it is used at the Gartshore and Dungeon works, where fine salt is prepared, it is not possible accurately to estimate the quantity exported and sent coastwise to Ireland, and other parts, but it may probably amount to from 70,000 to 80,000 tons a year.

In 1805, the manufacturers of white salt, with the proprietors of the fossil beds, and others interested in the salt trade of Cheshire, presented a memorial to Mr. Pitt, against a duty which it was understood he intended to propose on salt when exported. In it they stated, that the capital vested in salt works, rock pits, and lighters amounted to 436,000*l.* over and above the capital employed in carrying on the trade; and that 2,950 individuals were engaged in the works, exclusive of those dependent on them. — (*Holland's Cheshire*, p. 316.) At present the trade employs about 300 flats, or lighters, measuring, at an average, about 70 tons each, employing in all, inclusive of carpenters and builders, about 1,200 men. Altogether there are about 8,000 individuals directly employed in the salt trade of Cheshire; and the capital embarked in it may be estimated at from 600,000*l.* to 700,000*l.* — (*Private Information.*)

Salt has been obtained from the brine pits at Droitwich, in Worcestershire, for at least 1,000 years. When dug to a proper depth, the brine ascends to the surface of the pit. A canal has been constructed from Droitwich to the Severn, navigable by vessels of 60 tons burthen, which convey the salt to Gloucester, and other ports, and return laden with the coal required in the works. The quantity of white salt made at Droitwich is very inferior, as compared with that produced in Cheshire, and it does not furnish any supplies of rock salt.

Exclusive of the salt produced in Cheshire and Worcestershire, a good deal was formerly obtained by the evaporation of sea water, principally at Lymington, and other places on the Hampshire coast; but also in various other parts. But since the abolition of the duties, most of these works have been either wholly abandoned, or much reduced. Part of the rock salt shipped at Cheshire is refined at Newcastle and other places.

Consumption of Salt. — The consumption of salt in this country is immense.

Necker estimated the consumption in those provinces of France, which had purchased an exemption from the *Gabelle* (*Pays francs redimées*) at about 19½ lbs. (Eng.) for each individual. — (*Administration des Finances*, tom. ii. p. 12.) From all that we have been able to learn on the subject, we believe that the consumption of the people of this country may be estimated a little higher, or at 22 lbs.; the difference in our food and habits, as compared with the French, fully accounting for this increased allowance. On this supposition, and taking the population at 16,500,000, the entire consumption of Great Britain only, exclusive of Ireland, will amount to 363,000,000 lbs., or 161,000 tons.

Exclusive of this immense home consumption, we annually export between 11,000,000 and 12,000,000 bushels, which, at 56 lbs. a bushel, are equivalent to about 300,000 tons. The Americans are the largest consumers of British salt; the exports to the United States, in 1833, having amounted to 3,924,386 bushels. During the same year, we exported to Holland and Belgium 1,570,825 bushels; to the British North American colonies, 1,647,171 do.; to Russia, 1,413,052 do.; to Denmark, 1,050,748 do., &c.

The cheapness of this important necessary is not less remarkable than its diffusion. Its present cost may be estimated, at a medium, at from 14*s.* to 16*s.* a ton.

Duties on Salt. — In ancient Rome salt was subject to a duty (*Vectigal salinarum*; see *Burman, Dissertatio de Vectigalibus Pop. Rom.* c. 6.); and it has been heavily taxed in most modern states. The *gabelle*, or code of salt laws, formerly established in France, was most oppressive. From 4,000 to 5,000 persons are calculated to have been sent annually to prison and the galleys for offences connected with these laws, the severity of which had no inconsiderable share in bringing about the Revolution. — (*Young's Travels in France*, vol. i. p. 598.) In this country, duties upon salt were imposed in the reign of William III. In 1798, they amounted to 5*s.* a bushel; but were subsequently increased to 15*s.* a bushel, or about *forty* times the cost of the salt! So exorbitant a duty was productive of the worst effects; and occasioned, by its magnitude, and the regulations for allowing salt, duty free, to the fisheries, a vast deal of smuggling. The opinion of the public, and of the House of Commons, having been strongly pronounced against the tax, it was finally repealed in 1823. — (*M'Culloch's Commercial Dictionary*, art. SALT.)

7. MANGANESE, a metal of considerable consequence in the arts, is found in the Mendip Hills, in Somersetshire; and is supplied in quantities adequate to meet the demand. Zinc is obtained from the Derbyshire mines; but Flintshire and the Isle of Man furnish ores of the best quality.

8. QUARRIES (STONE). — The quarries of England are not of any great value or importance; and, in consequence, the greater number of buildings in most parts of the country are constructed of brick. The principal quarries are situated in the Isle of Portland, and in the neighbourhood of Bath. The former, which are the most important, have supplied the stone used in the construction of St. Paul's, and most other public buildings in London. The annual produce of the Portland quarries may at present be estimated at about 18,000 tons. The best blocks bring from 18*s.* to 22*s.* a ton, and the inferior from 6*s.* to 8*s.* The quarries are wrought partly by owners and partly by lessees, who pay the proprietors at the rate of 1*s.* 6*d.* a ton on the superior stones, and of 11*d.* on the coarse or inferior. In all, about 300 men and boys are employed in the quarries. — (*Private information.*)

The quarries of Gateshead Fell, near Newcastle, furnish the grindstones known in all parts of the world by the name of "Newcastle grindstones," from the port of shipment.

There are some very excellent quarries in Scotland. That of Craigleith, near Edinburgh, Cullalo, in Fife, and some others, are amongst the most celebrated. The beauty of the houses in the new town of Edinburgh attest

the excellence of the quarry (Craigleith) which furnishes the stone of which they are built. Large quantities of granite are shipped from Aberdeen for London, where it is employed in paving the streets. The docks at Liverpool are partly constructed of granite brought from Kirkcudbrightshire.

Quarries (Slate). — The principal slate quarries in Great Britain are in Caernarvonshire. Those belonging to Mr. Pennant (formerly Lord Penrhyn's), near Bangor, are the most extensive and valuable. They furnish employment for about 1500 men and boys. The other slate quarries in Caernarvonshire and North Wales generally employ about 1820 men and boys. There are also extensive quarries in different parts of South Wales, at Ulverstone in Lancashire, &c.

The principal slate quarries of Scotland are in the island of Easdale and at Balachulish in Argyleshire. Speaking generally, they do not furnish slates of the size and smoothness of those obtained from the Welsh quarries.

9. LIME. — Limestone is very widely diffused over Great Britain and Ireland; and being, when calcined, used very largely both in the building of houses and as a manure, its consumption must be immense. There are not, however, any means of accurately estimating its amount.

10. FULLER'S EARTH. — This is a species of clay used in the woollen manufacture, being once deemed of so much importance that its exportation was prohibited under a heavy penalty. At present, however, it is not employed to nearly the same extent as formerly, many of the clothiers using soap in preference to it. Malcolm, in his *Survey of Surrey*, published in 1809, says that he was at considerable pains in ndeavouring to ascertain the consumption of fuller's earth, and that he found it to amount to about 6,300 tons a year for the whole kingdom, of which about 4,000 tons a year were furnished by Surrey.

11. BRICKS AND TILES. — These, though manufactured articles, may, perhaps, be more properly noticed here than in any other place. By far the greater number of houses in London, and other English towns, as well as in most country districts, are built of brick, so that the consumption is immense. Tiles, also, though inferior to slates as a roof, are used in large quantities; and they are now, also, largely consumed in draining. Owing to the general use of stone in buildings in Scotland, the consumption of bricks in that part of the empire is comparatively limited.

Both tiles and bricks have been subjected to an excise duty; that on tiles was, however, repealed in 1833. But the duty on bricks is still continued. It produces from 300,000*l.* to 350,000*l.* a year. Sound policy would suggest its repeal; for no duty being laid on stone, the use of bricks is unfairly limited, and an injury done to those engaged in their manufacture. We subjoin an

Account of the Rates of Duty on, and Quantities of, the different Species of Bricks produced in England and Wales in 1827, 1828, and 1829.

Species.	Rates of Duty.	Quantity.	Quantity.	Quantity.
	s. d.	1827.	1828.	1829.
Common -	5 10 per 1000	1,092,447,058	1,068,400,330	1,099,744,701
Large - -	10 0 —	2,683,046	2,545,425	2,540,360
Polished -	12 10 —	18,150,750	7,769,075	7,295,366
Large polished	2 5 —	98,550	122,810	110,275
Totals -	- - -	1,103,379,404	1,078,937,640	1,109,690,702

Account of the Rates of Duty on, and Quantities of, the different Species of Bricks produced in Scotland in 1827, 1828, and 1829.

Species.	Rates of Duty.	Quantity.	Quantity.	Quantity.
	s. d.	1827.	1828.	1829.
Common -	5 10 per 1,000	20,071,337	24,281,032	21,741,582
Large - -	10 0 —	255,850	406,439	396,187
Polished -	12 10 —	3,375	1,850	6,522
Totals -	- - -	20,330,562	21,689,321	25,144,291

Nett Produce of the Duties on Bricks and Tiles in 1829.

		L.	s.	d.			L.	s.	d.
England	Bricks	219,051	14	5	Scotland	Bricks	6,714	0	0
	Tiles	34,830	7	5		Tiles	1,922	12	0

Total Nett Amount of Revenue from Bricks and Tiles in Great Britain - 362,518*l.* 13*s.* 10*d.*

In 1830 there were manufactured 41,711,165 plain tiles, and 23,242,392 pan or ridge tiles, besides a few of other descriptions. They produced in all 34,249*l.* 14*s.* of revenue.

In 1834 there were 1,180,161,228 bricks manufactured, producing 256,336*l.* of nett revenue.

Profits of Mines, Iron Works, &c. — Subjoined is an account of the produce of quarries, mines, iron works, &c. in 1814-1815 as ascertained by the Property Tax Commissioners. The increase in the interval has, however, been very great; and, on the whole, we should think that the under-mentioned sums may be safely increased fully 50 per cent. to get the total profit at present.

Account of the Profits of Mines, Quarries, and Iron Works, as assessed by the Property Tax Commissioners in 1814 and 1815.

Counties.	Profits of Quarries.	Profits of Mines.	Profits of Iron Works, &c.	Counties.	Profits of Quarries.	Profits of Mines.	Profits of Iron Works, &c.
	L.	*L.*	*L.*		*L.*	*L.*	*L.*
Bedford	-	-	127	Rutland	30	-	1,140
Berks	-	-	4,506	Salop	425	14,224	11,230
Bucks	-	-	219	Somerset	632	17,302	1,281
Chester	699	15,085	19,221	Southampton	-	169	9,715
Cornwall	2,685	78,375	9,423	Stafford	539	37,272	6,434
Cumberland	3,028	60,102	1,421	Suffolk	348	-	3,103
Derby	1,164	26,217	39,915	Surrey	335	-	6,080
Devon	5,232	25,665	10,225	Sussex	180	4	4,760
Dorset	237	-	1,670	Warwick	-	4,155	89,079
Durham	1,448	68,045	6,286	Westmoreland	424	2,047	353
York	8,490	42,476	186,873	Wilts	110	-	515
Essex	25	-	7,535	Worcester	174	226	6,011
Gloucester	559	5,916	5,587	Brecon	-	2,232	2,010
Hertford	58	-	2,792	Caermarthen	-	5,655	886
Huntingdon	-	-	2,795	Caernarvon	300	80	-
Kent	-	-	5,899	Denbigh	10,836	3,769	398
Lancaster	6,326	51,899	68,167	Flint	120	20,918	
Leicester	1,113	2,070	43	Glamorgan	697	26,925	26,234
Lincoln	119	-	6,452	Montgomery	8	-	-
Middlesex	-	-	4,715	Pembroke	603	3,102	-
Monmouth	-	4,260	2,433				
Norfolk	-	-	78	England and Wales	49,501	616,201	571,728
Northampton	444	-	196	Scotland	20,876	62,584	62,960
Northumberland	2,313	94,187	17,708				
Nottingham	-	3,754	355	Great Britain	70,377	678,785	637,688
Oxford	-	-	121				

CHAPTER III. — FISHERIES.

THE supply of fish in the seas round Britain is most abundant, or rather quite inexhaustible. "The coasts of Great Britain," says Sir John Boroughs, "doe yield such a continued sea harvest of gain and benefit to all those that with diligence doe labour in the same, that no time or season of the year passeth away without some apparent means of profitable employment, especially to such as apply themselves to fishing; which, from the beginning of the year unto the latter end, continueth upon some part or other upon our coastes; and these, in such infinite shoales and multitudes of fishes, are offered to the takers, as may justly move admiration, not only to strangers, but to those that daily are employed amongst them." — "That this harvest," says Sir John Barrow, "ripe for gathering at all seasons of the year, without the labour of tillage, without the expense of seed or manure, without the payment of rent or taxes, is inexhaustible, the extraordinary fecundity of the most valuable kinds of fish would alone afford abundant proof. To enumerate the thousands and even millions of eggs which are impregnated in the herring, the cod, the ling, and, indeed, in almost the whole of the esculent fishes, would give but an inadequate idea of the prodigious multitudes in

which they flock to our shores: the shoals themselves must be seen, in order to convey to the mind any just idea of their aggregate mass." — (*Ency. Britannica*, vol. ix. p. 590. new ed.)

This abundance of fish, coupled with the predilection of a large portion of the population for a maritime life, would naturally make one anticipate that the fisheries would be prosecuted on a very large scale, and be in a very flourishing state; but such is not really the case: except in London, and a few seaport towns, the consumption of fish is not great. It is found, to be, on the whole, rather more expensive than most other sorts of food. And hence, notwithstanding all the efforts that have been made, by bounties and otherwise, to stimulate different departments of the fishery, none of them has attained to any very great magnitude.

The principal fish-market in the British dominions is that of Billingsgate, in the city of London. A notion has been pretty current, that the dealers in this market contrived to exercise a sort of monopoly, and that they had succeeded in restricting the supply of fish, and in forcing up its price to an unnatural elevation. But there does not appear to be any foundation whatever for this notion. On the contrary, there are but few markets in which competition is so keen as at Billingsgate; and none, perhaps, in which the supply and price of the articles sold are so very fluctuating. The smacks that catch the fish are allowed to be eight days at Gravesend; but, except in winter, they seldom lie so long. The fish is transhipped from the smacks to hatch-boats, that bring it to town; and, owing to the liability of the fish to spoil, and other circumstances, it is always a great object with the fishermen to bring their boats as early to market as possible. It is said, that if, during the mackarel season, a vessel come to the wharf at 5 o'clock in the morning, when the market opens, the fish may sell from 48*s.* to 50*s.* a hundred; whereas, if the same vessel came at 10 o'clock, the mackarel would not be worth more than 36*s.* a hundred; and if she came in the afternoon, they would not fetch more than 24*s.* or 28*s.*! — (*Report of* 1833 *on Channel Fisheries*, p. 89.) A good deal of the mackarel and other fish taken on the Kentish and Sussex coasts is, for sake of dispatch, sent to London in vans with four horses; and, to hasten their arrival, they not unfrequently have six horses. There is now, owing to the command of steam tugs, comparatively little difficulty in getting fish up by water in adverse winds; and the market is in consequence more regularly supplied. But the fishery is in itself extremely uncertain; and instances occur every season, of the price of the same description of fish varying cent. per cent., and sometimes more, from one day to another. On the whole, however, there has been a very great decline in the prices of most sorts of fish at Billingsgate, within the last 10 or 12 years; though, as the price of butcher's meat has declined in a nearly equal ratio, it is not supposed that the consumption of fish has been materially increased.

In Billingsgate, fish, other than salmon and eels, are sold either by tale or by measure; but it has been supposed that, taking all the fish that comes to market, its price, as sold by the fishers, would, at a rough average, be about 2½*d.* per lb. — (*Report*, p. 95.) The extreme difference between the wholesale price at Billingsgate, and the retail price at the west end of the town, is owing to various causes; but principally, perhaps, to the perishable nature of the article, which, if not speedily disposed of, cannot be sold at all, except at a heavy reduction. The notion, that fish is thrown into the river or destroyed, to enhance or keep up the price of the remainder, is quite unfounded. The only difficulty is to prevent bad and unwholesome fish from being sold; and to effect this, is the duty of a clerk of the market, or inspector, appointed by the city.

The fishery is carried on partly in the rivers, and in the bays and along the coasts, of Great Britain and Ireland; and partly in the seas at a less or greater distance from our shores. Of the first, the salmon, herring, pilchard, and

oyster — and of the second, the cod, turbot, and whale — fisheries, are the most important.

1. *Salmon fishery.* — Salmon being rarely caught, except in estuaries or rivers is, in most instances, private property: the fisheries frequently producing a large revenue to their owners. It is found in most English rivers; but seldom in such abundance as to make the fishing an object of much attention. London derives the principal part of its supply from Scotland; and Liverpool, Manchester, &c. from Ireland. The fishery in the Tweed is, perhaps, the most important and valuable of any in the empire. About 20 years ago, it produced a rental of from 15,000*l.* to 18,000*l.* a year. But in the interval, the decline has been such, that at present it does not yield above 4,000*l.* a year to its proprietors. This extraordinary decline is principally owing to a nearly corresponding falling off in the catch of salmon; the exports from Berwick having sunk from about 9,000 or 10,000 boxes a year to 3,000 or 4,000. — (*Kerr's Berwickshire*, p. 460.; *Penny Cyclopædia*, art. BERWICK.)

Exclusive of the Tweed, there are valuable salmon fisheries in the Forth, Tay, Dee, Don, Findhorn, Spey, Ness, Conon, and other Scotch rivers. But they are mostly all in about the same condition as those of the Tweed. There are everywhere complaints of a growing scarcity of fish; and the fact that the exports from and rentals of all the principal rivers have decreased very much during the last 20 years, shows that these complaints are but too well founded.

It is not easy to account for so great a decline; and many conflicting opinions and theories have been advanced with respect to it. Most persons seem to think that it is mainly owing to the prevalence of poaching, or to the destruction of the breeding fish and fry in the upper parts of the rivers, during *close time*; and the extent to which this pernicious practice has been carried of late years, has, no doubt, been highly injurious, though we doubt whether it has been so in the degree that is commonly supposed. On the whole, we rather incline to think, that fully as much injury is done to the fishery in most rivers by the *weirs*, or salmon traps, and other obstructions placed in the way of the fish when ascending the rivers to spawn, as by any thing else. These obstructions are not, indeed, always equally prevalent, and, in some instances, they have been partially demolished; but there is hardly a river in which they do not still exist to a greater or less extent, and are generally believed to be very destructive. The fishery has also, perhaps, been injured by the temptation to overfish, caused by the extraordinary rise in the price of salmon; and in a still greater degree by the too limited duration of the *close time*. The last-mentioned cause of decline is thought, by many good judges, to be the most powerful of the whole; and it is justly objected to the late act for the regulation of the Scotch fisheries (9 Geo. 4. cap. 39.), that it prolongs the period for fishing too far into the spawning season. A police has been established for the protection of the fisheries on the Tweed, under the provisions of a local act passed in 1830; and it is to be hoped that the landlords and others interested in the fishery will see the expediency of making it effectual to the end in view.

The fisheries in the Bann, near Coleraine; in the Billick, near Ballyshannon; in the Boyne, above Drogheda, and in various other rivers, are very productive, though less so now than formerly. Their produce is principally shipped for the London and Liverpool markets; and it is mainly owing to the increased supplies derived from this source, and the facility with which they are brought to market by steam packets, that, despite the falling off in the produce of the Scotch and English rivers, the price of salmon in London has been materially diminished. It has been stated that the Irish salmon brought to Billingsgate market is generally in superior condition to the Scotch; a circumstance for which, if it be really true, it is rather difficult to account. — (*Report on Channel Fisheries*, p. 96.)

Formerly, the greater part of the salmon caught in the Tweed and other Scotch rivers was pickled or kitted, after being boiled, and sent to London, under the name of Newcastle salmon; a little only being brought up fresh during the early spring months. But, about 1790, the plan, suggested by Mr. Dempster of Dunnichen, of packing salmon in boxes with coarsely pounded ice, began to be introduced; and, by this ingenious contrivance, it is now brought quite fresh to London in the summer months from the most distant parts of Scotland and Ireland. This discovery immediately raised the price of salmon in the remoter parts of the country, where it had previously been a drug, almost to the London level, and restricted its consumption within the narrowest limits. "Within memory, salted salmon formed a material article of economy, in all the farm-houses of the Vale of the Tweed, as a considerable portion of their winter stores for family use, inasmuch that in-door servants often bargained that they should not be obliged to take more than two weekly meals of salmon! It could then be bought, fresh caught, in summer, at 2*s.* the fish stone, of nearly 19 pounds' weight. But, from the introduction of ice, enabling the whole to be sent fresh to London at all times, the price hardly ever falls now below 12*s.* a stone, and is often 30*s.*, and sometimes 42*s.*" — (*Kerr's Berwickshire*, p. 461.)

It is enacted by the 9 Geo. 4. c. 39., that the Scotch rivers are to be shut from the 14th of September to the 1st of February. Every person catching, or attempting to catch, fish in that period, is to forfeit not less than 1*l.*, nor more than 10*l.*, for every offence, besides the nets, boats, or other implements he may have employed. Pecuniary penalties are also imposed on poachers and trespassers; and provision is made for the watching of the rivers. As previously remarked, it is believed that the commencement of the *close time*, as fixed by this act, is too late; and that it should begin by the 25th of August, or, at all events, not later than the 1st of September.

2. *Herring Fishery.* — This department of the fishery business has been prosecuted, at different parts on the coast of Great Britain, from a very early period. Yarmouth used to be its principal station; and the herring fair, held in that town, was deemed of so much importance in the 14th century, that different statutes were passed for its regulation. — (Stat. Edw. III. an. 31. 35.) But, notwithstanding this early commencement, the fishery made, for a very long period, little or no progress; and, till a comparatively recent epoch, by far the greatest part of the fish taken on our shores, was captured by the Dutch. "*Veniam enim piscandi*," says Camden, "*semper concesserunt Angli, honore sibi reservato, utilitate vero exteris, quasi per desidiam resignata.*" — (*Brit.* p. 586.) But notwithstanding this sarcastic remark, and the circulation of the most exaggerated accounts of the advantages derived by the Dutch from the fishery, they were allowed, with but little interruption, to monopolise it until towards the middle of last century. At length, however, a vigorous effort was made to induce the public to set about exploring and cultivating this new and, as it was supposed it would turn out to be, most productive field of industry. In 1749, in pursuance of a recommendation in his Majesty's speech at the opening of parliament, and of a report of a committee of the House of Commons, 500,000*l.* was subscribed for carrying on the fisheries, under a corporation, called "The Society of the Free British Fishery." The Prince of Wales was chosen governor of the society, which was patronised by men of the first rank and fortune in the state. But this society did not trust entirely to its own efforts for success. The duties were remitted upon the salt used in the fisheries; and, besides this reasonable encouragement, a high tonnage bounty was granted upon every buss fitted out for the deep sea fishery. In consequence, many vessels were sent out, as Dr. Smith has truly stated, not to catch herrings, but to *catch the bounty*; and to such an extent was this abuse carried, that, in 1759, when the tonnage bounty was 50*s.*, the almost incredible sum of 159*l.* 7*s.* 6*d.* was paid as bounty upon *every barrel of*

merchantable herrings that was produced!—(*Wealth of Nations*, vol. iii. p. 386. M'Culloch's ed.) But, notwithstanding this encouragement, such was the waste and mismanagement of the company's affairs, that it was speedily destroyed. Dr. Smith says that, in 1784, hardly a vestige remained of its having ever been in existence.

But, notwithstanding this ill success, a new company was formed, for nearly the same objects, in 1786, of which George III. was patron. It has had nearly the same fate. "For a season or two, busses were fitted out by the society; but, if every herring caught had carried a ducat in its mouth, the expense of its capture would scarcely have been repaid. The bubble ended by the society for fishing in the deep sea becoming a kind of building society, for purchasing ground in situations where curers and fishermen find it convenient to settle; and selling it or letting it in small lots to them, at such advance of price as yields something better than fishing profits."—(See an excellent article on the *Herring Fishery*, in the 11th Number of the *Quarterly Journal of Agriculture*.)

In 1808, a fresh attempt was made for the improvement and extension of the fishery. The act 48 Geo. 3. established a distinct set of commissioners for the superintendence of all matters connected with the fishery, and authorised them to appoint a sufficient number of fishery officers, to be stationed at the different ports, whose duty it is to see that the various regulations, with respect to the gutting, packing, &c. of the herrings, and the branding of the barrels, are duly carried into effect. In 1809, a bounty of 3*l.* per ton was granted on all vessels employed in the deep sea herring fishery, of above 60 tons burthen, but payable only on 100 tons; and, in 1820, a bounty of 20*s.* per ton, which, under certain specified circumstances, might be increased to 50*s.*, was granted on all vessels of from 15 to 60 tons, fitted out for the shore herring fishery; and, exclusively of the bounties on the tonnage, a bounty of 2*s.* a barrel was allowed on all herrings cured, gutted, during the 6 years ending the 5th of April, 1815, and a bounty of 2*s.* 8*d.* a barrel on their exportation, whether cured gutted or ungutted. During the 11 years ending the 5th of April, 1826, the bounty on herrings cured gutted was 4*s.* a barrel.

It is stated, in the article already referred to, that the cost of a barrel of cured herrings is about 16*s.*; half going to the fisherman for the green fish, the other half to the curer for barrel, salt, and labour. The bounty of 4*s.* a barrel was, therefore, equal to *half* the value of the herrings as sold by the fisherman, and to *one fourth* of their value as sold by the curer! In consequence of this forced system, the fishery was rapidly increased. The subjoined account, No. III., extracted from the *Report of the Commissioners of the Fishery Board*, dated 1st of November, 1834, shows the progress it has made since 1811.

On looking at this table, it is seen that the fishery made no progress under the new system till 1815, when the bounty was raised to 4*s.* This is a sufficient proof of the factitious and unnatural state of the business. Its extension, under the circumstances in question, instead of affording any proof of its being in a really flourishing condition, was distinctly the reverse. Individuals, without capital, but who obtained loans sufficient to enable them to acquire boats, barrels, salt, &c., on the credit of the bounty, entered in vast numbers into the trade. The market was most commonly glutted with fish; and yet, the temptation held out by the bounty caused it to be still further overloaded. Great injury was consequently done to those fish-curers who possessed capital, and even the *fishermen* were injured by the system. "Most of the boats employed in the fishery never touch the water but during 6 weeks from the middle or end of July to the middle of September. They are owned and sailed, not by regular fishermen following that vocation only, but by tradesmen, small farmers, farm-servants, and other landsmen, who may have sufficient skill to manage a boat at that season, but who do not follow the

sea, except for the 6 weeks of the herring fishery, when they go upon a kind of gambling speculation, of earning a twelvemonths' income by 6 weeks' work." — (*Quarterly Journal*, No. 11. p. 653.)

It has been often said, in vindication of the bounty system, that, by extending the fishery, it extended an important nursery for seamen; but the preceding statement shows that such has not been its effect. On the contrary, it has tended to depress the condition of the genuine fisherman, by bringing a host of interlopers into the field; and it has also been prejudicial to the little farmers and tradesmen, by withdrawing their attention from their peculiar business, that they may embark in what has hitherto been little less than a sort of lottery adventure.

These consequences, and the increasing amount of the sum paid for bounties, at length induced government to adopt a different system; and, by an act passed in 1825, the bounty of 2*s.* 8*d.* on exported herrings was made to cease in 1826, and 1*s.* was annually deducted from the bounty of 4*s.* a barrel paid on gutted herrings, 'till it ceased in 1830. Time has not yet been afforded to learn the full effect of this measure. We, however, have not the slightest doubt that it will be most advantageous. The following table shows, that, though the quantity of herrings taken and exported in 1829 and 1830 fell off, there was a material increase in 1831, and the succeeding years. This is the more encouraging, as there can be little doubt that the supply must now be proportioned to the real demand; while the genuine fishermen, and those curers who have capital of their own, are no longer injured by the competition of landsmen, and of persons trading on capital furnished by government.

The repeal of the salt laws, and of the duty on salt, which preceded the repeal of the bounty, must be of signal service to the fishery. It is true, that salt used in the fisheries was exempted from the duty; but, in order to prevent the revenue from being defrauded, so many regulations were enacted, and the difficulties and penalties to which the fishermen were in consequence subjected, were so very great, that some of them chose rather to pay the duty upon the salt they made use of, than to undertake compliance with the regulations.

The greater part, by far, of the British herring fishery has been long carried on from different places, principally on the east coast of Scotland, of which Wick, in Caithness, is the principal. — (See vol. i. p. 316.) Of the 451,531 barrels of herrings, reported by the Fishery Commissioners to have been cured in the year ended 5th of April, 1834, no fewer than 134,738, or between a third and a fourth part of the whole, were cured at Wick. During the same year 58,275 barrels were cured at Fraserburgh, 36,855 in Shetland, 34,712 at Lybster, 27,432 at Helmsdale, 20,561 at Rothsay, 19,956 at Banff, &c. Only 5,328 barrels were cured in the Isle of Man, which was formerly one of the principal seats of the fishery. — (See No. II. of subjoined accounts.)

The Yarmouth fishery, though much fallen off, is still prosecuted to a considerable extent. About 100 sail of fishing vessels, averaging from 40 to 50 tons each, belong to the port, exclusive of about 50 or 60 vessels that arrive annually from Yorkshire during the herring season. The capital employed is estimated at about 250,000*l.* Lowestoff, 9 miles from Yarmouth, employs about 70 fishing boats of 40 tons each. The greater number of the herrings taken at Yarmouth are smoked, and are known in London by the name of "Yarmouth bloaters." — (*Report of* 1833 *on Channel Fisheries*, p. 17.)

The herring fishery of Ireland has never been of any material importance. It is only, indeed, in a few places that we meet with any regular fishermen in that country; the minute division of the land, and the dependence so generally placed on it, are very formidable obstacles to the success of the fisheries.

I. An Account of the Number of Boats, whether decked or undecked, that have been employed in the Year ended 5th of April, 1834, in the Shore-curing Herring and Cod and Ling Fisheries; distinguishing each Station; showing also the Number of Fishermen and Boys by whom the said Boats were manned; the Number of Coopers employed; the Number of Persons employed in gutting, packing, re-packing, cleaning or drying the Fish; the Number of Labourers; and the Total Number of all such Persons; together with the Number of Fish Curers in each District.

Stations.	Number of Boats, whether decked or undecked.	Number of Fishermen and Boys by whom the said Boats were manned.	Number of Coopers employed.	Number of Persons employed in gutting, packing, re-packing, cleaning, or drying the Fish.	Number of Labourers employed.	Total Number of Persons employed.	Number of Fish Curers.
	Number.	*Number.*	*Number.*	*Number.*	*Number.*	*Number.*	*Number.*
Ayr, Irvine and Saltcoats	88	324	43	54	76	197	25
Barra	82	410	-	6	-	416	14
Campbeltown	249	909	22	85	10	1,026	10
Dumfries and Stranraer	76	294	24	130	20	468	11
Fort William	306	761	7	494	-	1,262	27
Glasgow	-	-	48	30	75	153	-
Greenock	264	792	84	194	752	1,822	47
Inverary	151	453	19	250	-	722	24
Islay	90	257	-	76	-	333	6
Loch Broom	402	1,633	11	134	1	1,779	10
Carron and Dunvegan	909	3,636	14	3,446	20	7,116	23
Gilphead	268	791	23	173	-	987	39
Shildag	201	846	-	-	-	846	10
Rothsay	289	867	6	27	301	1,201	15
Stornoway	444	2,218	39	620	309	3,186	10
Tobermory	650	2,600	56	1,300	650	4,606	18
Bristol	-	-	8	8	7	23	1
Isle of Man	363	2,580	12	110	32	2,734	41
Liverpool	46	251	34	41	15	341	7
St. Ives	376	1,504	53	823	56	2,436	760
Whitehaven	57	203	5	25	14	250	4
Anstruther	152	564	60	140	13	777	11
Banff	82	355	95	597	4	1,051	35
Barrahsland	183	451	65	300	21	917	16
Cromarty	297	1,188	62	1,608	2,381	5,309	17
Eyemouth	142	880	65	597	58	1,600	24
Findhorn	155	622	47	309	18	996	21
Fraserburgh	188	888	137	1,601	159	2,785	47
Helmsdale	175	875	74	832	300	1,881	22
Leith	94	470	90	38	111	709	15
Lybster	248	1,006	81	723	138	1,948	47
Orkney, North Isles	190	771	6	555	2	1,134	5
South Isles	475	2,149	43	1,395	38	3,625	34
Port Gordon	336	1,715	41	788	13	2,557	26
Shetland, Lerwick	790	3,364	78	2,142	412	6,026	56
Unst	144	813	2	290	5	1,110	26
Walls	230	1,271	15	279	79	1,644	29
Stonehaven	152	777	45	313	19	1,154	22
Thurso	106	520	32	290	-	842	19
Tongue	102	510	29	316	225	1,080	18
Wick	553	2,720	330	2,215	305	5,570	99
London, including Dover, Portsmouth, Gravesend, and Yarmouth, from which resident officers have now been withdrawn	887	5,071	10	-	-	5,081	21
North Sunderland	109	346	7	368	44	765	6
Whitby	183	557	-	300	641	1,198	25
Totals	11,284	49,212	1,925	23,972	7,157	82,266	1,831

Exclusive of the above, 303 vessels, of the burthen of 10,385 tons, entered inwards during the same year, with 56,615 barrels of herrings cured at sea. Of these vessels 95 entered at Greenock, 63 at Glasgow, 52 at Rothsay, &c.

3. *Pilchard Fishery.* — This is exclusively carried on along the coasts of Cornwall and Devon, particularly the former, its principal seats being St. Ives, Mountsbay, and Mevagissey. The fishery has been said to be in rather a declining state for some years past; but it seems doubtful whether this be really the case. Dr. Borlase mentions that, at an average of the 10 years ending with 1756, the annual export of pilchards amounted to 29,795 hhds. At an average of the 3 years ending with 1832, the annual export was 26,641 hhds.; but in 1832 it amounted to 31,618 hhds. And when it is considered that the trade at the former period, and for long after, was forced by means of a bounty, which, previously to its repeal a few years ago, was as high as 8*s.* 6*d.* a hhd. there would seem to be but slender grounds for thinking that the fishery has really declined. Pilchards are not used in England, except in the counties in which they are taken, where about 3,000 hhds. are retained for home consumption. They are mostly exported to Italy; and the imposition of a heavy duty on pilchards in Naples has done more injury to the fishery than the repeal of the bounty. Pilchards are all cured on shore, principally by women. The total capital employed in this department of industry, in boats, nets, &c., has been estimated at from 200,000*l.* to 250,000*l.* — (*M'Culloch's Commercial Dictionary*, art. PILCHARDS.)

II. An Account of the Total Number of Barrels of White Herrings which have been cured on board Vessels cleared out for the Fishery, or cured on Shore, in the Year ended 5th of April, 1834; distinguishing the Stations where landed or cured; and distinguishing also the Herrings which were cured gutted, from those which were cured ungutted.

Stations.	Herrings cured gutted		Herrings cured ungutted.		Total Herrings cured.
	Gutted and packed within 24 Hours after being caught.	Gutted and packed not within 24 Hours after being caught.	Barrels.	Barrels of Bulk.	
	Barrels.	*Barrels.*			*Barrels.*
Ayr, Irvine, and Saltcoats	3,158	-	-	-	3,158
Campbeltown	3,391½	-	-	-	3,391½
Dumfries and Stranraer	3,343	-	-	-	3,343
Fort William	552	1,707	-	-	2,259
Glasgow	8,808½	124	3	11	8,946½
Greenock	12,803½	11	-	3	12,817½
Inverary	3,931	-	-	-	3,931
Loch Broom	934	-	-	120	1,054
Carron and Dunvegan	953½	-	-	-	953½
Gilphead	656	-	-	-	656
Shiddag	1,124	-	-	-	1,124
Rothsay	20,561½	-	-	-	20,561½
Stornoway	598	-	-	-	598
Tobermory	1,968	-	-	-	1,968
Isle of Man	135	-	392	4,871½	5,398½
Whitehaven	823	-	893½	251	1,964½
Anstruther	-	-	1,134½	-	1,134½
Banff	19,956	-	-	-	19,956
Burntisland	-	-	-	184½	184½
Cromarty	8,177	-	2,141	-	10,318
Eyemouth	1,198		1,339	556	3,093
Findhorn	6,370		16	-	6,520
Fraserburgh	55,442½		22,519½	312	58,275
Helmsdale	26,137	-	1,295	-	27,432
Leith	41½	-	-	-	41½
Lybster	34,235	-	477	-	34,712
Orkney, North Isles	3,196	-	-	-	3,196
South Isles	10,560	-	-	-	10,560
Port Gordon	6,056	-	159	-	6,215
Shetland, Lerwick	25,504	155	376	165	26,000
Unst	7,150	-	-	39	7,189
Walls	3,666	-	-	-	3,666
Stonehaven	-	-	59½	-	59½
Thurso	8,204	28	658	-	8,890
Tongue	9,169	-	184	-	9,353
Wick	109,999	-	21,789½	2,950	134,738½
North Sunderland	2,087	46	3,327	2,680	8,140
Totals	380,471½	2,206	56,710½	12,143	451,531½

Of the above number, 394,916½ barrels were cured on shore, and 56,615 barrels at sea.

III. Account of the Total Quantity of White Herrings cured, branded, and exported, in so far as the same have been brought under the cognizance of the Officers of the Fishery, from the 5th of April, 1810, to the 5th of April, 1834; distinguishing each Year, and the Herrings cured gutted, from those cured ungutted.

Periods.	Total Quantity of Herrings cured.			Total Quantity of Herrings branded.	Total Quantity of Herrings exported.		
	Gutted.	Ungutted.	Total.		Gutted.	Ungutted.	Total.
Years ended 5th April	*Barrels.*	*Barrels.*	*Barrels.*	*Barrels.*	*Barrels.*	*Barrels.*	*Barrels.*
1811	65,450	26,397½	91,827½	55,662½	18,880	19,253	38,133
1812	72,515½	39,004	111,519½	58,430	27,964	35,256	62,820
1813	89,900½	63,587½	153,488½	70,027½	40,100½	69,625	109,725½
1814	52,931½	57,611	110,542½	38,184½	34,929	83,474½	118,403½
1815	105,572½	54,767	160,139½	83,376	68,938	72,367½	141,305½
1816	135,981	26,670½	162,651½	116,136	81,544½	26,143½	107,688
1817	153,776	36,567½	192,343½	140,018½	115,480½	23,118	138,628½
1818	204,270½	23,420½	227,691	183,089½	148,147½	14,192	162,339½
1819	303,777½	37,116½	340,894	270,022½	212,301½	14,860½	227,162
1820	347,190½	35,301½	382,491½	309,700½	244,096	9,420	253,516
1821	415,308	28,887½	442,195½	363,872	289,445½	5,360	294,805½
1822	291,626½	24,897½	316,524½	263,205½	212,890½	2,065½	214,956
1823	225,937	25,832	248,869	205,110	169,459½	985½	170,145
1824	335,450	56,740½	392,190½	299,631	238,505½	1,125	239,630½
1825	303,397	44,268½	347,665½	270,844½	201,882½	134	202,016½
1826	340,118	39,115½	379,233½	294,422½	217,055½	20	217,075½
1827	259,171½	29,324	288,495½	223,606	165,741	665	166,406
1828	330,360	60,418	390,778	279,317½	210,766	893	211,659
1829	300,212½	55,757	355,970½	251,827	202,813½	3,062	205,875½
1830	280,053½	48,625½	328,557	218,418½	177,776	3,878½	181,654½
1831	371,096	68,274½	439,370½	237,085	260,976	3,927	264,903
1832	313,115½	49,547	362,660½	157,839½	214,820½	2,679½	217,499½
1833	353,684½	63,279½	416,964½	168,259½	218,429½	2,255	220,684½
1834	382,677½	68,855½	451,531½	178,000½	269,135½	2,960	272,095½

N. B. — In the 6 years ending 5th of April, 1815, the bounty on herrings cured gutted was 2*s.* per barrel, while there was a bounty at the same time of 2*s.* 8*d.* per barrel, payable by the excise, on the exportation of herrings, whether cured gutted or ungutted, but which ceased on the 1st of June, 1815. In the 11 years ending 5th of April, 1826, the bounty on herrings cured gutted was 4*s.* per barrel; in the 4 succeeding years the bounty was reduced 1*s.* per barrel each year, till the 5th of April, 1830, when it ceased altogether, and has not since been renewed.

4. *Oyster Fishery.* — Oysters of excellent quality are found in many parts along the British shores, but principally in the rivers and creeks of Essex and Kent; in Poole harbour, and elsewhere on the coast of Hants and Dorset; at Porth-Einion, in Glamorgan, &c. They are also very abundant on the Mersey shores. Those found at Carlingford, in Ireland, are said to be of a peculiarly delicate flavour. The breeding and fattening of oysters for the London market forms a considerable branch of business. It is principally carried on in Essex and Kent; the rivers Crouch, Blackwater, and Colne being the chief breeding places in the former, and the channel of the Swale, contiguous to Milton, in the latter. The oysters found in them are not, however, brought immediately to town; but are deposited for a while in *beds* or *layings* in the adjoining creeks, where they are fed and fattened for the market. Exclusive of the oysters bred in Essex and Kent, vast numbers brought from Jersey, Poole, and other places along the coast, are fattened in the beds. The export of oysters from Jersey is very considerable, having amounted, at an average of the 4 years ending with 1832, to 208,023 bushels a year, of which a large portion comes to London. The Jersey fishery employs, during the season, about 1,500 men, 1,000 women and children, and 250 boats. — *Inglis's Channel Islands*, 2d ed. p. 142.)

Lobsters, of which the consumption in London is immense, are brought from the Shetland Isles, the Yorkshire coast, &c.; but the largest supply comes from Norway.

5. *Cod Fishery.* — This fishery, including under the term not only the fishery of common cod, but that of haddock, ling, hake, torsk, &c., is next in importance to that of herring. It is carried on in a great variety of places contiguous to the shores of the British islands; but the most productive and valuable of the adjacent fisheries are those in the neighbourhood of the Shetland and Orkney Islands, and off the shores of Essex, Suffolk, Norfolk, Lincoln, &c. Formerly the principal part of the cod brought to London was taken round the edges of the Dogger bank, or rather in the hollows between it and the Wellbank; and the finest fish is still brought from thence. But, within the last few years, the London market has been principally supplied with cod taken between Yarmouth and the Nore; and, in consequence of its being procured so much nearer home, the average price of cod has fallen from 30 to 50 per cent. under what it was a dozen years ago.—(*Report of* 1833 *on the Channel Fisheries*, p.85.) This change has occasioned a great increase in the number of fishing smacks belonging to Barking, Gravesend, and other ports on the Thames; while those belonging to Harwich, and some of the more distant ports, have been materially reduced. The cod taken by the fishermen of Shetland and Western Isles is mostly cured dried, but it is partially, also, cured green or in pickle; and it is sometimes, though much seldomer now than formerly, conveyed alive in welled vessels to London. The haddocks taken on the Aberdeenshire coast, and cured at the village of Finnan, near Aberdeen, are held in the highest estimation all over the kingdom.

The great bank of Newfoundland is the principal station of the distant cod fishery; the fish found on it being not only of excellent quality, but in the greatest abundance. The bank began to be resorted to by fishers early in the sixteenth century. In 1578, France had on the bank of Newfoundland 150 vessels, Spain 120 or 130, Portugal 50, and England from 30 to 50. During the first half of last century, the fishery was principally carried on by the English (including the Anglo-Americans) and the French; but the capture of Cape Breton, and of their other possessions in America, gave a severe blow to the fishery of the latter. The American war divided the British fishery; that portion of it which had previously been carried on from New England being thereafter merged in that of the United States. Still, however, we contrived to preserve the largest share. At an average of the 3 years ending with 1789, we are said to have had 402 ships, 1,911 boats, and 16,856 men

engaged in the American fisheries. During the last war, the French being excluded from the fisheries, those of England attained to an extraordinary degree of prosperity; the total value of the produce of the Newfoundland fishery, in 1814, having exceeded 2,800,000*l.* But since the peace, the British fishery on the Newfoundland banks has rapidly declined, and can hardly, indeed, be said, at this moment, to exist. It is now carried on almost entirely by the French and the Americans; the facilities enjoyed by the latter for its prosecution being greater than those of any other people, and the former being tempted to engage in it by the extraordinary encouragement afforded by government. At present the British fishery carried on by the inhabitants of Newfoundland is confined entirely to the shore or boat fishery. But this, though probably not so good a nursery of sailors as the bank fishery, is admitted to be "the most productive of merchantable fish and oil."—(*M'Gregor's British America*, 2d ed. vol. i. p. 206.) The average annual produce of the fisheries of all sorts, including seal, salmon, &c., exported from Newfoundland during the 3 years ended with 1832, is stated by Mr. M'Gregor at 516,417*l.*—(vol. i. p. 161.) A considerable fishery is also carried on from the ports and harbours of Nova Scotia and Cape Breton, New Brunswick, &c. But, next to that of Newfoundland, the principal British fishery is carried on along the coast of Labrador,—its produce being estimated at from 300,000*l.* to 350,000*l.* a year.

The total produce of the British fisheries, in the various seas and rivers of America, including seal oil and skins, is estimated by Mr. M'Gregor, at an average of the 5 years ending with 1832, at 857,210*l.* a year.—(Vol. ii. p. 596.)

Abstract of the Total Quantity of Cod, Ling, or Hake, Cured, Punched or Branded, and Exported, in so far as the same have been brought under the cognisance of the Officers of the Fishery, during the 10 Years ended 5th of April, 1834.

Periods.	Total Quantity of Cod, Ling, or Hake cured.			Total Quantity of Cod, Ling, or Hake punched or branded.		Total Quantity of Cod, Ling, or Hake exported.		
	Cured dried.	Cured in Pickle.		Cured dried.	Cured in Pickle.	Cured dried.		Cured in Pickle.
Year ended 5th April.	*Cwt.*	*Cwt.*	*Barrels.*	*Cwt.*	*Barrels.*	*Cwt.*	*qrs.* *lbs.*	*Barrels.*
1826 - -	69,136½	3,634½	5,621	66,315½	5,337	7,281	1 14	—
1827 - -	95,161½	9,275	9,025	82,185½	8,008½	14,051	2 27	—
1828 - -	82,515½	6,726½	6,142½	74,103½	6,609½	13,208	2 0	—
1829 - -	81,321½	5,786	6,819	75,900½	6,204	20,587	3 4	—
1830 - -	101,014	5,652½	8,836½	92,314½	8,464	16,369	3 15	—
1831 - -	37,617	- -	2,950½	34,337½	2,459½	11,920	1 1	—
1832 - -	50,293	- -	3,779½	15,879½	3,250	20,168	3 16	47
1833 - -	58,461½	- -	6,467½	13,581½	4,393½	14,754	1 26	67
1834 - -	62,710½	- -	5,522½	14,255½	3,829	16,298	3 0	24

N. B.—The books of this department do not exhibit the total quantity of cod, ling, or hake cured till the year commencing 5th of April, 1825. The bounty from the commencement of this abstract to the 5th of April, 1830, was near 4*s.* per cwt. for fish cured dried, and 2*s.* 6*d.* per barrel for fish cured in pickle, taken by the crews of vessels or boats not on the tonnage bounty; while the bounty vessels licensed for cod, ling, or hake fishery, on the tonnage bounty, was 50*s.* per ton for tonnage and cargo to the 5th of July, 1826; 45*s.* from thence to the 5th of July, 1827; 40*s.* to the 5th of July, 1828; and 35*s.* to the 5th of April, 1830; when the bounties ceased altogether, and have not since been renewed.

6. *Turbot Fishery.*—Turbot is rather scarce in the Channel and on the English coasts. By far the largest portion of turbot brought to the London market is taken on the Dutch coast, principally, too, by Dutch fishermen, who sometimes import the fish direct, but who more frequently sell them to English fishermen. The greater part of the eels used in London, and even at Hampton and Richmond, is also brought from Holland.

Immense numbers of sprats and other small fish are annually captured, to be used as manure, on the coasts of Kent, Norfolk, and Essex, but especially the first.

Mackarel are found, in the proper season, in many parts along the coast. The London market is principally supplied with those taken off the shores of Kent and Sussex.

7. *Whale Fishery.*—The English engaged in the Greenland whale-fishery towards the commencement of the seventeenth century, but it was not pro-

secuted continuously, or on a considerable scale, till so recently as 1750. At that period, however, in consequence of a bounty of 40*s.* a ton being allowed on the vessels fitted out for the fishery, a good number were despatched, as much certainly in the view of catching the bounty as of catching whales. Deceived by the prosperous appearance of the fishery, parliament imagined that it was firmly established; and in 1777 the bounty was reduced to 30*s.* The effects of this reduction showed the factitious nature of the trade, the vessels engaged in it having fallen off in the course of the next 5 years from 105 to 39! To arrest this alarming decline, the bounty was raised to its old level in 1781; and of course the trade was soon restored to its previous state of apparent prosperity. The hostilities occasioned by the American war reduced the Dutch fishery to less than half its previous amount, and gave a proportional extension to that of England. The bounty which had, in consequence, become very heavy, was reduced, in 1787, to 30*s.* a ton; in 1792, it was further reduced to 25*s.*; and, in 1795, it was reduced to 20*s.*; at which sum it continued till 1824, when it ceased.

Altogether there have been about 2,500,000*l.* expended in bounties for the encouragement of the whale fishery; and it is doubtful whether even this enormous outlay, had it been unaccompanied by extrinsic and accidental circumstances, would have established it on the very moderate scale at which it now stands. But the late war totally destroyed the Dutch fishery; and, in addition to this, many of those engaged in the business emigrated to England, bringing with them their capital, industry, and skill. In consequence of this encouragement, the fishery carried on from England became more extensive and valuable than at any former period; so much so, that in 1815 we employed 134 ships of the burthen of 43,320 tons. But since then the fishery has gradually declined; partly, no doubt, in consequence of the competition of the Americans, who have peculiar advantages for carrying it on, but more in consequence of the increasing scarcity of fish, and of the greater difficulty and danger of the voyage. At present, it may be questioned whether it does more than pay its expenses. At an average of the last 3 or 4 years, the entire produce of the northern whale fishery may be estimated at about 300,000*l.* a year, — a miserable return for the sacrifices made in forcing and bolstering up the trade!

A remarkable change has taken place in the localities of the fishery. When it began, the whales were found in vast numbers in the seas round Spitzbergen; but being gradually exterminated, and driven from thence, the whale ships followed them to the icy barrier that bounds the Greenland sea on the north. In 1719, the Dutch commenced fishing in Davis's Straits; but they were not resorted to till a comparatively late period by English ships. Even in 1820, by far the larger portion of our ships went to the Greenland seas. These are now, however, comparatively deserted. In 1834, only 7 ships went to Greenland.

The same thing is happening in Davis's Straits that formerly happened in the seas round Spitzbergen. The whales have become much less numerous in the lower part of the Straits; and it is now necessary to pursue them into Baffin's Bay, Lancaster's Sound, and the recently discovered inlets to the west of the Straits, where the risk of loss is said to be considerably greater. At all events, those engaged in the business have recently experienced some very severe losses. In fact, the fishery has for several years past partaken more of the character of a gambling adventure than of a regular industrious pursuit. Sometimes the ships come home with only half a cargo, sometimes they arrive *clean*, or without any fish, and sometimes they are wholly lost. In 1830, of 91 ships that sailed for Davis's Straits, 19 were totally lost, 24 returned clean, or without a single fish; and of the remainder not one had a full cargo, only one or two being *half fished*. The present year (1835) has also been a very unfavourable one, several of the ships having been detained, locked in the ice.

There has been a singular change in the ports from which as well as the places at which the northern fishery is carried on. London had, for a lengthened period, by far the greater number of ships in the business; but within the last dozen years she has almost entirely withdrawn from it, having, in 1834, only sent out 3 ships. Hull is now the principal seat of the fishery in England, and Dundee and Peterhead in Scotland.

Account of the Northern Whale Fishery in 1834, specifying the Number of Ships sent out by the different Ports, their Tonnage, with the Number of Fish captured, and their Produce in Oil and Whalebone.

Ships.	Tonnage.	Whales taken.	Produce of Oil.	Produce of Whalebone.	
			Tuns.	*Tons.*	*Cwt.*
27 Hull	8,906	273	2,696	146	10
2 Whitby	723	16	149	8	0
3 Newcastle	1,131	25	283	17	4
1 Berwick	310	34	220	11	3
3 London	953	22	177	9	10
2 Burntisland	688	25	177	9	10
11 Peterhead	3,076	99	1,093	57	15
6 Aberdeen	1,979	72	801	45	9
8 Dundee	2,789	115	1,035	53	10
3 Montrose	962	20	144	7	17
5 Kirkaldy	1,591	92	743	38	6
5 Leith	1,847	79	699	37	4
76 Vessels.	24,955	872	8,214	441	10

Abstract Account of the Northern Whale Fishery for the Twenty Years ending with 1834.

Number of Ships to Greenland and Davis's Straits.			Total Ships.	Tonnage.	Ships Lost.	Number of Whales.	Tuns of Oil.	Tons of Bone.
Years.	G.	D. S.						
1815	98	48	146	47,148	1	733	10,682	528
1816	101	45	146	46,868	1	1,330	13,590	632
1817	97	53	150	48,084	5	828	10,871	539
1818	94	63	157	50,362	2	1,208	14,482	666
1819	96	63	159	51,082	12	988	11,401	517
1820	102	57	159	50,546	3	1,595	18,745	946
1821	80	79	159	50,709	14	1,405	16,853	923
1822	61	60	121	38,144	8	630	8,663	422
1823	55	62	117	36,759	3	2,018	17,074	921
1824	32	79	111	35,013	1	761	9,871	534
1825	21	89	110	34,751	5	500	6,370	350
1826	5	90	95	30,414	5	512	7,200	400
1827	16	72	88	28,273	1	1,162	13,186	733
1828	14	79	93	28,665	3	1,197	13,966	802
1829	1	88	89	28,812	4	871	10,672	608
1830	0	91	91	29,396	19	161	2,199	119
1831	8	80	82	28,608	3	451	5,104	273
1832	19	62	81	26,393	5	1,563	12,610	676
1833	3	74	77	25,294	1	1,695	14,508	802
1834	7	69	76	24,955	3	872	8,214	442
Yearly Average			115¾	37,013¾	5	1,024	11,313	591¾

8. *Southern Whale Fishery.* — This department of the whale fishery began to be prosecuted about the beginning of the American War; and has, for these many years past, been carried on to a considerable extent. The ships engaged in it principally apply themselves to the catch of the *Physeter Macrocephalus*, or spermaceti whale; but large quantities of oil are also obtained from the common whale of the southern seas, and from the sea elephant, a species of marine animal, intermediate between the walruss of the northern seas and the seal. At an average of the three years ending with 1834, the total produce of the southern whale fishery amounted to 477,000*l.* a year. The vessels engaged in it are generally absent from 2 to 3 years. They belong exclusively to London.

Account of the Vessels, with their Tonnage and Crews, employed in the South Sea Fishery since 1817.

Years ending 5th of January.	Entered Inwards.			Entered Outwards.		
	Ships.	Tons.	Men.	Ships.	Tons.	Men.
1818	21	6,481	451	42	14,785	1,201
1819	32	10,940	749	58	18,214	1,643
1820	41	13,682	946	47	14,668	1,345
1821	40	13,470	867	68	19,755	1,827
1822	51	14,910	1,194	55	14,398	1,396
1823	43	12,544	806	44	11,432	1,022
1824	51	15,356	990	59	17,669	1,536
1825	37	11,297	686	31	9,122	796
1826	33	9,480	621	29	7,839	738
1827	36	10,729	720	34	10,429	939
1828	30	9,414	552	33	10,374	902
1829	20	6,326	393	21	7,000	604
1830	29	8,600	509	31	10,997	937
1831	25	8,503	492	32	9,682	924
1832	27	9,870	565	24	8,332	735

The declining state of the trade is obvious from this table. This is a consequence, partly, of the growing scarcity of the whales in their old haunts, and of the greater difficulty experienced in their capture, but more of the competition of the Americans, and of the colonists in New South Wales and Van Diemen's Land. The situation of the latter gives them peculiar advantages for the prosecution of the fishery, which they now carry on to a great extent, and with much spirit and success.

9. *Value of British Fisheries.* — There are no means by which to form any accurate estimate of the total annual value of the different fisheries belonging to Great Britain. It must, however, amount to a very large sum, though less, perhaps, than is commonly supposed. Sir John Barrow, in an article on the fisheries, in the new edition of the *Encyclopædia Britannica*, estimates their total value, including foreign as well as domestic, at 8,300,000*l.* a year; but there can be no doubt that this is a very great exaggeration. We are convinced that those who estimate the entire value of the fisheries at 3,000,000*l.* or 3,500,000*l.*, a year, will not be within, but beyond the mark.

CHAPTER IV.—MANUFACTURES.

SECT. I. *Circumstances favourable to the Progress of Manufactures and Industry.*

THESE are partly of a moral and political, and partly of a physical description. Of the former class, the most important seem to be the security and free disposal of property; the absence of monopolies, and the non-interference of government in industrious undertakings; the diffusion of knowledge amongst the people; the cordial reception of foreigners; and the emulation and energy inspired by inequality of fortune, and by the gradual increase of taxation: among the more prominent of the physical circumstances conducive to their progress, are, supplies of the raw material used in manufactures, with the command of power, that is, of coals, waterfalls, &c. A good deal, also, of the progress of manufactures seems to depend on the advantageous situation of a country for commerce, and on the nature of its climate. We shall briefly notice some of the more prominent of these circumstances.

I. *Moral Circumstances contributing to the Progress of Manufactures.*

1. It would be unnecessary to take up the reader's time by enlarging on the necessity of security, and of the free disposal, of property to success in manufacturing industry, or, indeed, in any laborious undertaking. Without security, there cannot, in fact, be either industry or invention. No man will engage in any undertaking, or exert either his bodily or mental powers, unless he be well convinced that he will be allowed to reap all the advantages accruing from the exertion of his labour, skill, or genius. Any doubt as to this is sure to paralyse all his exertions. And if, owing to the weakness or ignorance of government, the prevalence of a revolutionary spirit, or any other cause, the security of property were materially impaired, all sorts of industrious undertakings, that did not promise an immediate return, would be forthwith abandoned, and every person possessed of property would endeavour to convey it out of the country. The want of security is, therefore, by far the greatest of all public calamities. Wherever it does not exist, we find nothing but the most abject poverty and barbarism; and, supposing other things to be equal, the wealth and civilisation of nations will be pretty nearly proportioned to the degree of security they respectively enjoy.

Every other circumstance conducive to the advancement of industry may exist in a country; but without security these cannot be of any material service. A high degree of security will compensate for many deficiencies; whereas nothing can make up for its want: it is a *sine qua non* of national prosperity.

2. The absence of monopolies, and the non-interference of the government in industrious undertakings, undoubtedly conduce in no ordinary degree to the progress of industry. Every man is always exerting himself to find out how he may best extend his command over the necessaries and conveniences of life; and sound policy requires that he should, so long as he does not interfere with the rights and privileges of others, be allowed to pursue his own interest in his own way. Human reason is, no doubt, limited and fallible; we are often swayed by prejudices, and are apt to be deceived by appearances: still, however, it is certain that the desire to promote our own purposes contributes far more than any thing else to render us clear-sighted and sagacious.—"*Nul sentiment dans l'homme ne tient son intelligence éveillée autant que l'intérêt personnel. Il donne de l'esprit aux plus simples.*" The principle that individuals are, generally speaking, the best judges of what is most beneficial for themselves, is now universally admitted to be the only one that can be safely relied on. No writer of authority has, latterly, ventured to maintain the exploded and untenable doctrine, that governments may advantageously interfere to regulate the pursuits of their subjects. It is their duty to preserve order; to prevent one from injuring another; to maintain, in short, the equal rights and privileges of all. But it is not possible for them to go one step further, without receding from the principle of non-interference, and laying themselves open to the charge of acting partially by some, and unjustly by others.

The most comprehensive experience corroborates the truth of these remarks. The natural order of things has been less interfered with in Great Britain than in most other countries. Since the passing of the famous act of James I., in 1624, for the abolition of monopolies, full scope has been given to the competition of the home producers; and, though the various resources of talent and genius have not been so fully, perhaps, or at least so early, developed as they would have been had there been no restrictions on our intercourse with foreigners, they have been stimulated in a degree unknown in most other countries. France, previously to the Revolution, was divided into provinces, having each peculiar privileges, and separate codes of revenue laws; and in consequence the intercourse between them was subjected to the most oppressive restrictions. In

Germany and Spain the same miserable system prevailed; so that they were not only deprived of the freedom of foreign, but even of internal, commerce. The inhabitants of each province being in a great measure isolated from the rest, there was comparatively little competition; and, instead of invention and active exertion, there was nothing but routine and sluggish indifference. Holland and the United States have been almost the only countries that have enjoyed the same degree of internal freedom as Great Britain; and the former, notwithstanding the unfavourable physical circumstances under which she is placed, has long been, and still is, the richest country in Europe; while the latter, whose condition is in other respects more favourable, is advancing with giant steps in the career of improvement.

It is sometimes said, that restrictions on industry and commerce cannot be so injurious as has been represented, seeing the progress we have made notwithstanding they have always existed amongst us. The previous details show the weight to be attached to this allegation. The restrictions referred to have been confined to some branches of foreign trade: and, luckily, the freedom allowed to all sorts of industry at home would have insured our advance though the fetters laid on foreign trade had been a good deal more oppressive than they actually have been. But to imagine, as many have done, that these restrictions contributed to accelerate our progress, is the climax of absurdity. Their influence has, in every case, been distinctly and completely the reverse; but, though considerable, it has been insufficient to countervail the advantages resulting from the freedom we otherwise enjoyed.

3. The ability to read, and the diffusion of instruction among all ranks and orders of the people, by the general circulation of books and journals, the establishment of mechanics' institutes, &c., have had a material influence on the advancement of arts and industry. The circumstances in question have had the double advantage of multiplying the means and chances of improvement, and of preventing any invention or discovery, when made, from being engrossed by a few. An uninstructed people, though surrounded by all the means and capacities for the production and accumulation of wealth, being unable to apply them to any useful purpose, are necessarily poor and destitute; whereas an intelligent people, though placed in a comparatively unfavourable situation, never fail, by availing themselves of the powers and energies of nature, and making them subservient to their purposes, to become rich and prosperous. That "knowledge is power," is true in a physical as well as in a moral sense. The more familiar our acquaintance with, and the more com-

plete our command over, natural agents, the greater, of course, must be our command over the necessaries and conveniences of life. In tracing the causes of our progress, it is not possible to appropriate to each the portion belonging to it of a result which is the joint effect of the whole united; but if this could be done, it would be found that no inconsiderable share is fairly ascribable to the extraordinary diffusion of scientific information amongst us.

4. For a lengthened period, the reception given to foreigners in England was any thing but cordial. In most countries, indeed, not in an advanced state of civilisation, strangers are uniformly the objects of popular dislike; and this feeling seems to have prevailed quite as much in England as any where else. But, notwithstanding the various legal disabilities laid on foreigners, and the ill-treatment they often experienced, their settlement here has been productive of the most advantageous results. The Flemings, invited over and protected by Edward III., gave the first great impulse to the woollen manufacture; and the immigrations from the Low Countries during the persecutions of the Duke of Alva, and from France subsequently to the revocation of the Edict of Nantes, materially forwarded our commerce and manufactures. During the last century the prejudice against aliens lost much of its force; and several of the disabilities under which they formerly laboured have been removed. But, in all that respects the treatment of foreigners, our policy has been decidedly less liberal and enlightened than that of the Dutch. In Holland they have always been received with open arms; and a short residence in the country, and a small payment to the state, entitled them to all the privileges enjoyed by natives. The highest authorities agree, that this was one of the main causes of the extraordinary progress made by the republic in commerce and wealth. "It has always been our constant policy to make Holland a perpetual, safe, and secure asylum for all persecuted and oppressed strangers: no alliance, no treaty, no regard for, nor any solicitation of, any potentate whatever has at any time been able to weaken or destroy, or make the state recede from protecting, those who have fled to it for their own security and self-preservation. Throughout the whole course of all the persecutions and oppressions that have occurred in other countries, the steady adherence of the republic to this fundamental law has been the cause that many people have not only fled hither for refuge, with their whole stock in ready cash, and their most valuable effects, but have also settled and established many trades, fabrics, manufactures, arts, and sciences in this country; notwithstanding the first materials for the said fabrics and manufac-

tures were almost wholly wanting in it, and not to be procured but at a great expense from foreign parts."*

5. We incline to think that the great inequality of fortune that has always prevailed in this country has powerfully contributed to excite a spirit of invention and industry among the less opulent classes. It is not always because a man is absolutely poor that he is perseveringly industrious and economical: he may have already amassed considerable wealth; but he continues with unabated energy to avail himself of every means by which he may hope to add to his fortune, that he may place himself on a level with the great landed proprietors and those who give the tone to society in all that regards expense. No successful manufacturer or merchant ever considers that he has enough till he be able to live in something like the same style as the most opulent persons. Those immediately below the highest become, as it were, a standard to which the class next to them endeavour to elevate themselves; the impulse extending, in this way, to the very lowest classes, individuals belonging to which are always raising themselves by industry, address, and good fortune to the highest places in society. Had there been less inequality of fortune amongst us, there would have been less emulation, and industry would not have been so successfully prosecuted. It is true, that the desire to emulate the great and the affluent, by embarking in a lavish course of expenditure, is often prematurely indulged in, and carried to a culpable excess; but the evils thence arising make but a trifling deduction from the beneficial influence of that powerful stimulus which it gives to the inventive faculties, and to that desire to improve our condition, and to mount in the scale of society, which is the source of all that is great and elevated. Hence we should disapprove of any system which, like that of the law of equal inheritance established in France, had any tendency artificially to equalise fortunes. To the absence of any such law, and the prevalence of customs of a totally different character, we are inclined to attribute a considerable portion of our superior wealth and industry.

6. We are also disposed to believe, how paradoxical soever such a notion may appear, that the taxation to which we have been subjected has, hitherto at least, been favourable to the progress of industry. It is not enough that a man has the means of rising in the world within his command; he must be placed in such a situation, that, unless he avail himself of them, and put forth all his energies, he will be cast down to a lower station. Now, this is what our tax-

* *Proposals for amending the Trade of Holland,* printed by authority in 1756; Eng. ed. p. 12.

ation has effected: to the desire of rising in the world, implanted in the breast of every man, it superadded the fear of being thrown down to a lower place in society; and the two principles combined produced results that could not have been produced by either separately. Had taxation been carried beyond due bounds, it would not have had this effect. But, though considerable, its increase was not such as to make the contributors despair of being able to meet the sacrifices it imposed by increased skill and economy: and the efforts they made in this view were far more than sufficient for their object; and, consequently, occasioned a large addition to the public industry and wealth, that would not otherwise have existed.

II. *Physical Circumstances contributing to the Progress of Manufactures.*

1. Supplies of the raw material may be classed among the more prominent of this description of circumstances; and those who reflect on the nature, value, and importance of our manufactures of wool; of the useful metals, such as iron, tin, lead, copper, &c.; of leather, flax, and so on; will readily admit that our success in them has been materially facilitated by our possessing abundant supplies of the raw material. It is of less consequence, when the material of a manufacture possesses considerable value in small bulk, whether it be furnished from native resources, or be imported from abroad; though, even in that case, the advantage of having an internal supply, of which we cannot be deprived by the jealousy or hostility of others, is far from immaterial. But no nation can make any considerable progress in the manufacture of bulky and heavy articles, the conveyance of which to a distance necessarily occasions a large expense, unless she have supplies of the raw material within herself. Had we been destitute of iron ore, lead, and tin, we could never have distinguished ourselves by the magnitude and value of our manufactures of these articles. But any one who reflects on the signal advantage resulting to every branch of manufacturing industry from being able to procure abundant supplies of iron at the cheapest rate, will be convinced that we are under any thing but slight obligations to our exhaustless stores of this mineral.

2. But of all the physical circumstances that have contributed to our extraordinary progress in manufactures and industry, none have had so much influence as our possession of the most valuable coal mines. They have conferred advantages on us not enjoyed in an equal degree by any other country. Our extraordinary success in the manufacture of iron, copper, &c., is not owing so much to our pos-

sessing the ores, as to our possessing the coal, by the aid of which they have been smelted and refined. But the paramount importance of coal as a manufacturing agent has been principally manifested since the invention of the steam-engine. Without a cheap and abundant supply of fuel, the engine, as now constructed, would be of comparatively little use. It is, as it were, the hands: but coal is the muscles by which they are set in motion, and without which their dexterity cannot be called into action, and they are of no use. Our coal mines may be regarded as vast magazines of *hoarded* or *warehoused power;* and, unless some such radical change should be made on the steam-engine as should very decidedly lessen the quantity of fuel required to keep it in motion, or some equally serviceable machine, but moved by different means, be introduced, it is not at all likely that any nation should come into successful competition with us in those departments in which steam-engines, or machinery moved by steam, may be advantageously employed.

Since the introduction of the steam-engine, waterfalls have lost much of their value; and unless they be very favourably situated, and of a superior description, we no longer reckon them of any considerable importance.

3. The advantageous situation of the country for commerce, and the nature of its climate, have also powerfully contributed to the perfection of manufacturing industry. Owing to the facilities afforded by our insular situation for maintaining an intercourse with all parts of the world, our manufacturers have been able to obtain supplies of foreign raw materials on the easiest terms, and to forward their own products wherever there was a demand for them. Had we occupied a central internal situation in any quarter of the world, our facilities for dealing with foreigners being so much the less, our progress would have been comparatively slow. But, being surrounded on all sides by the sea, that is, by the great highway of nations, we have been able to deal with the most distant as well as with the nearest people, and to profit by all the peculiar capacities of production enjoyed by each. With such advantages on our side, it would have been singular had we not shot ahead of most of our competitors in the race of improvement.

Our climate is peculiarly favourable for all sorts of exertion and enterprise: without being too severe, it is sufficiently so to render comfortable clothing and lodging indispensable; and, consequently, gives rise to wants that are either unknown, or less sensibly felt, in more genial regions. Its inequality, too, by requiring incessant care and attention on the part of the husbandmen, makes them vigilant

and active, as well as industrious; and the qualities that are thus naturally impressed on this great class are, through their example, universally diffused.

Mr. Stevenson, in his valuable article on English statistics in the *Edinburgh Encyclopædia*, when enumerating the causes of our extraordinary success in manufactures, lays the greatest stress on the superiority of our machinery, the vast magnitude of our capital, and the extent to which the division of labour is carried amongst us. But this is to mistake effects for causes. The circumstances specified by Mr. Stevenson are, in fact, the means and instruments by which manufacturing industry is immediately carried on; and the real inquiry is, What are the circumstances that have rendered us so abundantly supplied with them? We have endeavoured briefly to answer this inquiry, by stating what we believe to have been the most prominent causes of that extraordinary accumulation of capital, and of that employment of improved and powerful machinery, and subdivided labour, which mark our eminence as a manufacturing people. Still, however, we are inclined to think that a good deal must in these matters be ascribed to chance, or to some lucky accident. Had Hargraves, Arkwright, Watt, or Wedgwood not existed, or been born abroad, it is impossible to say how much it might have affected the state of industry here: but there seem to be sufficient grounds for thinking that it would have been, at this moment, materially different from what it actually is. A good deal, too, depends on priority. A country, town, or district that has already established and made a considerable progress in a manufacture, acquires, in consequence, an advantage that may enable it successfully to contend with competitors placed under what are naturally more favourable circumstances: its merchants are already in possession of the markets; its inhabitants, being trained to the business, have acquired that peculiar sleight of hand that is necessary to form expert workmen; and they are in this way frequently able to preserve their ascendancy for a lengthened period, and sometimes even to drive those from the field who have a preponderance of natural advantages on their side.

It seems to be the peculiar good fortune of England that, as respects all the great branches of manufacture, she has at once the advantages of priority and of acquired skill and dexterity on her side, as well as the natural advantages already noticed of abundant supplies of the raw material, of inexhaustible beds of coal, and of situation. Cotton is not an exception; for, though the raw material be the product of other countries, the freight upon it is not very con-

siderable, and is but a trifling deduction from the other circumstances that seem to insure our superiority in this department.

To excel in machine making, is to excel in what is certainly the most important branch of manufacturing industry. Superiority in any single branch, except this, may exist simultaneously with great inferiority in many others; but eminence in the manufacture of machinery is almost sure to lead to eminence in every other department.

Mr. Stevenson has laid considerable, though not, as it appears to us, too much, stress on the practice generally adopted in Great Britain, of paying workmen, wherever it is practicable, by the piece, or by the work done, and not by the day. This system gives the workmen an interest in being industrious; and makes them exert themselves to execute the greatest quantity of work in the least space of time. And, in consequence of its prevalence, this practice materially influences even the day-labourers; who, to avoid invidious comparisons, make exertions unknown in other countries. Hence, a given number of hands in Great Britain perform much more work than is executed by the same number of hands almost any where else: in fact, if we regard wages in their proper light, that is, if we look upon them as a compensation for the quantity of work done, and not for the time spent in doing it, they will, we believe, be found to be cheaper in Great Britain than in most other countries.

SECT. II. *Woollen Manufacture.*

Rise and Progress of the Manufacture. — It has been pretty commonly supposed that the woollen manufacture was, for the first time, established in England in the reign of Edward III.; but, though the policy of that able prince contributed powerfully to its advancement, it certainly existed amongst us from the time of the Romans. There are notices in the statute book of "broad cloths 2 yards within the lists," more than 100 years before the date of the measures adopted by Edward III. for its improvement.

Owing to the suitableness of the soil and climate of England for the growth of sheep, the excellence of our wool, the demand for warm clothing, and the ingenuity of our people, it might be fairly presumed that we were, at an early period, distinguished by our proficiency in this manufacture. But, for several centuries after the Conquest, our ancestors were, in this respect, very far behind the Flemings; and, though there can be no doubt that a greater or less supply of coarser articles was always produced at home, it was customary, down to the 16th century, to carry large quantities of English wool to Flanders; whence were brought back in return, not only the finer descriptions of woollen cloths, but most part of the foreign products required for our consumption.

Though without any claim to be entitled its founder, Edward III. certainly did much for the improvement of the manufacture. He had a clear perception of the advantages resulting from the immigration of foreigners, as well by communicating a knowledge of the arts practised abroad, as in exciting

a spirit of emulation and invention amongst the native population. Acting on this principle, Edward availed himself, in 1331, of some discontents existing among the Flemish manufacturers to invite them over to England. This invitation was accepted by a number of weavers, dyers, fullers, &c., who settled in different parts of the country, being protected by the vigorous policy of the king from the assaults of the rabble. From this early period down to the present day, the manufacture has always been regarded as of primary importance. In 1337, an act was passed prohibiting the wear of any cloths made beyond seas; and it is supposed that the exportation of English wool was then also interdicted: but the words of the act do not bear this interpretation; the exportation being prohibited only "*till it be otherwise ordered*;" that is, till measures were matured for subjecting it to a duty. In these unsettled and turbulent times prohibitory acts were but little attended to, and the one now referred to was soon after repealed. — (*Smith's Memoirs of Wool*, vol. i. p. 32. and p. 39.) During the reign of Edward III., and for long after, the duties on exported wool formed a large branch of revenue; and, though the manufacturers were exceedingly anxious to have its exportation prohibited, and this was then believed to be good policy, they did not succeed in their object till 1660; when, owing to the increase of industry and commerce, means were found for raising a sufficient revenue independently of the wool duties.

It may, however, be doubted, whether the benefit derived by the manufacturers from prohibiting the export of wool was not more apparent than real: it occasioned a material diminution of the growth of the article; and it is well known, that large quantities were at all times clandestinely exported. Mr. Smith, who has carefully investigated the early history of the manufacture, states, that it made a far more rapid progress during the reign of Elizabeth, when wool might be carried out of the kingdom, than it ever did during any equal period subsequent to the restriction on exportation. Foreign wool began to be imported in small quantities in the 13th century.

At first, the manufacture seems to have been pretty equally distributed over the country. In an insurrection that took place in 1525, more than 4,000 weavers and other tradesmen are said to have assembled out of Laneham, Sudbury, and other towns in Suffolk. The manufacture had been previously introduced into Yorkshire. In 1533, an act was passed (34 & 35 Hen. 8. c. 10.), reciting, that "the city of York, afore this time, had been upholden principally by making and weaving of coverlets, and the poor thereof daily set on work in spinning, carding, dyeing, weaving, &c.;" that the manufacture, having spread into other parts, was "thereby debased and discredited;" and enacting as a remedy for this evil, that henceforth "none shall make coverlets in Yorkshire but inhabitants of the city of York!" This seems, indeed, to have been, at the time, a favourite principle of commercial legislation; for it was enacted, nearly at the same period, that the manufacture should be restricted, in Worcestershire, to Worcester and 4 other towns. Worsted goods, so called from Worsted, now an inconsiderable village in Norfolk, where the manufacture was first set on foot, were produced in the reign of Edward II., or, perhaps, earlier: but Norwich soon after became the principal seat of this branch of the manufacture; and continued to preserve its superiority, till it has been surpassed, within these few years, by Bradford and the contiguous district, in the West Riding of Yorkshire. In an act of Henry VIII. (33 Hen. 8. c. 16.), worsted yarn is described as "the private commodity of the city of Norwich."

But, however objectionable, these statutes may be regarded, if compared with others enacted about the same period, as formed on tolerably sound principles. In proof of this, we may mention that the statute 5 & 6 Edward VI. c. 22. was framed for the express purpose of putting down machinery; while

the statute 2 & 3 Philip and Mary, cap. 11. prohibits any *clothier* out of a borough, market town, or corporate town, from having more than *one* loom, and any *weaver* dwelling out of a city from having more than *two* looms; and it also prohibits any white woollen cloths being made, except where they had been made during the 10 preceding years. It further interdicts any one from setting up the trade of a weaver unless he have served a 7 years' apprenticeship to the same; and no weaver dwelling out of a city is to have more than 2 apprentices at a time!

In 1614, an improvement took place in the woollen manufacture of the west of England, by the invention of what is called medley, or mixed cloth: for which Gloucestershire is still celebrated. But in despite of this there were, during the reign of Charles II., many, though probably exaggerated, complaints of the decay of the manufacture; and, by way of encouraging it, an act was passed (30 Car. 2. st. 1. c. 3.), ordering that all dead bodies should be buried in woollen shrouds! This act, the provisions of which were subsequently enforced, preserved its place in the statute book for more than 130 years!

Much has been said about the encouragement formerly afforded by the English legislature to the establishment of manufactures; but those who inquire into the matter will, we apprehend, agree with us in thinking that their chance of success would have been decidedly greater had they been left to shift for themselves without any interference. The acts specified above, and others of a similar description confining the manufacture within certain limits, were early repealed; but those prohibiting the employment of machinery, and regulating the number of looms, kept their place on the statute book to a recent period, and opposed the most formidable obstacle to the progress and improvement of the manufacture. They were not, as may, perhaps, be supposed, allowed speedily to fall into disuse; on the contrary, their provisions were every now and then put in execution. So late as 1802, there were serious disturbances in Somersetshire and Wiltshire on account of the manufacturers setting up gig-mills, or machines for raising the nap on cloths; it being contended, that they were proscribed by the act of Edward VI.! Nor was the public rendered fully aware of the real nature and powerful influence of the acts in question till the publication of the *Report on the Woollen Manufacture* by the Commons Committee, in 1806. Hence, notwithstanding all the circumstances favourable to the manufacture in England, and which, had it been let alone, would have insured its rapid advancement, it was long in a very backward and depressed state. The Dutch and Flemings retained a decided superiority over the English till the end of the 17th century. It was not, indeed, till 1668, when some immigrants from Flanders settled in England, that we succeeded in producing any of the finest cloths, or those made entirely of Spanish wool, without the admixture of any wool of an inferior quality. — (*Memoirs of Wool*, vol. i. p. 229, &c.)

The statute of Edward VI., for the discouragement of machinery, seems, combined, no doubt, with other circumstances, to have been as completely successful as any one of its promoters could have desired. "From the most remote period of the woollen manufacture, until the latter end of the last century, or about the year 1780, very few, if any, mechanical improvements had been introduced into it. During the whole time the various processes were carried on nearly in the same manner, but with greater or less skill, and were employed upon materials more or less valuable. The carding and spinning of wool, and the weaving and finishing of cloth, in the early part of the reign of George III., were effected by the same machines as in the reign of Edward III., which, probably, were similar to those of the ancient Romans, but more rude in their construction. In an art which had seen so many centuries roll on without any change, it did not appear possible to

the manufacturer that any improvement could be effected; and had not the genius of Hargraves and Arkwright changed entirely the modes of carding and spinning cotton, the woollen manufacture would probably have remained at this day what it was in the earliest ages of civilised society." — (Rees's *Cyclopædia*, article "Woollen Manufacture.")

But the astonishing improvements made in the cotton trade roused, at length, the dormant energies of the woollen manufacturers, and stimulated them to make something like corresponding efforts. In consequence machinery began, in the interval between 1785 and 1800, to be every where employed in the carding and spinning of wool, until the performance of these processes by hand-cards and spinning-wheels was wholly abandoned. The repeal of the acts of Edward VI. and of Philip and Mary, in 1807, paved the way for the general introduction of gig-mills, shearing-mills, brushing-mills, &c.

The power-loom is, as yet, but little introduced into the cloth trade, and is employed only in weaving the finer description of goods. This is supposed to be owing to the loose way in which the yarn is spun; which, while it facilitates the process of felting, makes it unsuitable for the power-loom.— (*Report on Yorkshire*, Factory Commission, C. i. p. 168.)

Towards the end of the 17th century, Mr. Gregory King and Dr. Davenant (*Davenant's Works*, Whitworth's ed. vol. ii. p. 233.) estimated the value of the wool shorn in England at 2,000,000*l.* a year; and they supposed that the value of the wool (including that imported from abroad) was quadrupled in the manufacture; making the entire value of the woollen articles annually produced in England and Wales 8,000,000*l.*, of which about 2,000,000*l.* were exported. In 1700 and 1701, the official value of the woollens exported amounted to about 3,000,000*l.* a year. Owing to the vast increase in the wealth and population of the country, the manufacture must have been very greatly extended during the last century; but the increase in the amount of exports was comparatively inconsiderable. At an average of the 6 years ending with 1789, the annual official value of exports was 3,544,160*l.* a year; being an increase of only about 540,000*l.* on the amount exported in 1700. The extraordinary increase of the cotton manufacture soon after 1780, and the extent to which cotton articles then began to be substituted for those of wool, though it did not occasion any absolute decline of the manufacture, no doubt contributed powerfully to check its progress. In 1802, the official value of the exports rose to 7,321,012*l.*; being the largest amount they ever reached till 1833, when they amounted to 7,788,842*l.* During the 5 years ending with 1834, every part of the manufacture was in a state of unexampled improvement and extension, notwithstanding the price of wool was, for the greater part of this period, very high. The official and the declared, or real, values of the woollen manufactures exported from the United Kingdom were then as under: —

	1830.	1831.	1832.	1833.	1834.
Official value of woollen manufactures exported -	£ 5,558,709	6,097,558	6,544,576	7,788,842	6,514,703
Declared, or real, value of ditto - - - -	4,850,884	5,227,701	5,239,992	6,294,432	5,736,871

The subjoined account shows the quantity and value of the British woollen manufactures exported in 1833 and 1834, and their distribution. It sets the paramount importance of the market of the United States in a very striking point of view: —

Account of the Quantity and Value of the Woollen Manufactures exported during 1833 and 1834; specifying the Countries to which they were exported, and the Quantity and Value of those exported to each.

Countries.	1833.					1834.				
	Entered by the Piece.		Entered by the Yard.		Hosiery, and Small Wares.	Entered by the Piece.		Entered by the Piece.		Hosiery, and Small Wares.
	Quantities.	Declared Value.	Quantities.	Declared Value.	Declared Value.	Quantities.	Declared Value.	Quantities.	Declared Value.	Declared Value.
	Pieces.	*L.*	*Yards.*	*L.*	*L.*	*Pieces.*	*L.*	*Yards.*	*L.*	*L.*
Russia	33,891	89,498	26,059	2,861	713	31,286	100,164	38,503	4,633	606
Sweden	4,253	4,970	1,093	121	121	7,212	9,884	2,574	267	134
Norway	4,129	11,068	7,274	821	732	4,210	11,601	13,911	1,114	839
Denmark	960	1,526	3,291	323	185	715	1,586	6,467	595	254
Prussia	14	50	520	27	73	43	173	1,510	121	12
Germany	469,290	571,426	684,748	52,267	11,223	408,813	513,761	582,091	42,463	9,727
Holland	105,145	230,566	619,677	39,471	12,286	91,514	217,254	377,107	27,710	13,971
Belgium	44,905	74,042	363,083	21,703	12,847	60,057	105,087	294,062	18,987	5,899
France	23,725	50,909	55,387	4,251	784	22,775	49,231	94,401	6,512	510
Portugal, Proper	36,736	125,373	30,692	6,551	2,251	68,391	238,614	140,325	11,317	2,410
Azores	3,151	10,056	5,194	485	59	3,667	13,030	4,974	408	69
Madeira	1,137	4,268	2,537	247	25	1,055	4,188	2,662	343	71
Spain and the Balearic Islands	53,532	101,878	33,999	4,257	1,257	23,210	59,239	61,973	3,460	134
Canaries	833	3,417	12,373	1,084	77	1,387	4,163	5,969	464	67
Gibraltar	4,395	16,770	29,632	2,029	637	5,990	17,820	58,533	5,096	1,257
Italy and the Italian Islands	103,481	204,978	135,184	12,737	2,805	120,392	228,881	306,066	20,523	2,339
Malta	5,024	11,413	10,074	655	400	4,380	11,632	19,874	1,285	594
Ionian Islands	482	2,546	1,689	222	241	710	3,135	4,035	355	217
Turkey and Continental Greece (exclusive of the Morea)	7,209	16,790	22,150	2,785	527	3,764	24,779	35,794	3,076	484
Morea and Greek Islands	135	885	307	29	-	777	1,669	1,108	51	2
Egypt (Ports on the Mediterranean)	75	656	90	5	12	409	1,598	2,580	355	25
Tripoli, Barbary, and Morocco	-	-	-	-	-	661	681	500	31	61
Western Coast of Africa	1,029	2,496	3,400	142	1,365	1,513	3,159	2,131	184	1,390
Cape of Good Hope	13,553	38,185	54,375	3,463	956	11,549	31,860	80,238	5,994	1,575
Cape Verd Islands	-	-	-	-	-	-	-	-	-	-
St. Helena	34	342	2,804	133	25	211	1,104	8,228	511	6
Mauritius	349	1,400	5,377	457	156	1,207	5,239	8,032	661	40
Isle of Bourbon	-	-	-	-	-	31	282	209	15	-
East India Company's Territories and Ceylon	270,678	782,280	156,403	13,192	3,109	45,301	218,559	284,416	24,524	1,173
China	-	-	-	-	-	139,336	582,216	4,990	625	214
Sumatra and Java	32,345	79,795	8,700	690	90	8,139	44,274	8,302	816	45
Philippine Islands	21,723	82,177	-	-	-	2,719	11,606	-	-	35
New South Wales, Van Diemen's Land, and Swan River	8,472	36,481	209,667	13,889	3,812	10,515	42,751	259,609	18,104	5,408
New Zealand, and South Sea Islands	-	-	-	-	-	-	-	-	-	-
Ports of Siam	-	-	-	-	-	438	1,077	-	-	-
British North American Colonies	100,935	280,532	972,556	65,437	30,909	65,730	195,081	689,587	50,578	24,696
British West Indies	28,588	81,397	167,933	12,101	8,603	26,500	77,682	227,985	16,321	9,405
Hayti	3,117	15,147	5,290	499	30	4,991	10,320	7,162	379	4
Cuba and other Foreign West Indies	11,985	33,011	161,061	11,754	1,377	21,077	65,569	218,898	16,545	6,734
United States of America	785,991	1,934,677	3,117,191	247,445	83,283	545,928	1,450,113	2,238,134	214,419	62,102
Mexico	9,050	41,633	15,987	2,275	74	15,769	54,015	22,565	2,872	570
Guatemala	-	-	220	85	-	26	340	5,450	344	-
Columbia	2,988	10,990	14,305	1,508	6	2,965	14,440	21,164	1,658	153
Brazil	89,107	253,128	231,838	17,414	4,027	69,944	243,826	230,662	19,795	4,679
States of the Rio de la Plata	23,337	79,231	65,269	5,640	3,052	36,673	172,393	112,121	10,781	4,801
Chili	29,605	164,716	84,819	10,501	1,318	16,143	92,159	65,042	6,931	1,640
Peru	19,168	59,453	19,918	1,857	377	15,471	60,685	49,028	3,465	529
Isles of Guernsey, Jersey, Alderney, and Man	6,286	25,998	66,740	7,535	2,189	5,992	29,659	82,303	7,948	2,747
Total	2,384,122	5,533,936	7,455,611	568,448	192,018	1,910,086	5,017,108	6,689,147	551,655	168,128

Imports of Foreign Wool. — We have already seen (vol. i. p. 501.), that the entire produce of British and Irish wool may be estimated at about 500,000 or 520,000 packs of 240 lbs. each. But, exclusive of this, we use large supplies of foreign wool, English wool not being suitable, at least without an intermixture of foreign, for various departments of the manufacture. Formerly the principal part of our imports came from Spain; but the late King of Saxony, when elector, introduced the breed of Merino sheep into his dominions, and exerted himself to promote their growth. His praiseworthy efforts were crowned with the most signal success. The Merino sheep seem to succeed better in Saxony, and other German states, than in Spain; and since the peace of 1815, the imports from the latter have been inconsiderable compared with those from the former. The Australian colonies, also, have recently been rising into very great importance as wool-growing countries. We subjoin

Account of the Quantity of Sheep and Lambs' Wool imported into Great Britain and Ireland during each of the Six Years ending with 1834; specifying the Countries whence it was imported, and the Quantity brought from each; showing also the Quantities exported, and those left for Consumption.

Countries.	1829.	1830.	1831.	1832.	1833.	1834.
	lbs.	*lbs.*	*lbs.*	*lbs.*	*lbs.*	*lbs.*
Russia	153,614	202,871	263,920	855,680	1,380,823	3,107,[illegible]
Sweden	-	380	-	-	21,[illegible]	[illegible]
Denmark	9,582	179,717	252,918	302,848	372,[illegible]	[illegible]
Prussia	850,290	713,216	609,082	833,[illegible]	[illegible]	[illegible]
Germany	14,110,006	26,073,882	22,137,022	19,832,225	25,37[illegible],106	22,[illegible]
Holland } Belgium }	106,222	939,123	659,646	209,144	{ 313,[illegible] [illegible]	[illegible] [illegible]
France	112,567	45,093	713,854	1,973	2[illegible],844	1,[illegible]
Portugal Proper	53,231	461,912	413,708	193,511	680,[illegible]	1,[illegible]
Madeira	-	-	-	-	1,318	
Spain and the Balearic Islands	3,751,714	1,613,515	3,474,823	2,626,621	3,339,150	2,343,915
Canaries	3,771					
Gibraltar	-	-	-	-	-	751,812
Italy and the Italian Islands	5,315	9,461	42,913	78,552	855,510	2,[illegible]
Malta	-	-	199,321	564	4,803	112,777
Turkey and Continental Greece (exclusive of the Morea)	394	-	11,447	17,992	361,591	1,474,[illegible]
Tripoli, Barbary, & Morocco	-	-	-	11,465	105,689	1,977,816
Cape of Good Hope	37,619	33,407	47,868	83,257	93,325	141,[illegible]
St. Helena	-	-	-	-	-	390
East India Company's Territories and Ceylon	-	-	-	-	3,721	67,763
New South Wales, Van Diemen's Land, and Swan River	1,838,642	1,967,309	2,493,337	2,377,057	3,516,869	3,558,091
British North American Colonies	-	-	98	-	-	231
British West Indies	759	1,425	653	877	819	2,118
Cuba and other Foreign West Indies	-	300	400	-	152	
United States of America	25,386	7,313	16,411	628,038	334,678	2,018,309
Mexico	-	-	268	3,139		
Columbia	-	-	-	-	-	1,24[illegible]
Brazil	4,648	1,148	1,011	15,456	2,049	28,[illegible]
States of the Rio de la Plata	158,515	19,441	12,214	30,359	207,143	1,[illegible]
Chili	18,798	-	-	-	-	[illegible]
Peru	256,801	5,741	1,055	23,191	14,640	172,267
Isles of Guernsey, Jersey, Alderney, and Man	27,668	7,745	-	-	48	
Total	21,525,542	32,313,059	31,652,029	28,128,973	38,046,087	46,[illegible]
Quantity exported	406,566	659,242	21,025,962	555,014	442,696	807,362
Left for consumption	21,118,976	31,653,817	10,626,067	27,573,959	37,603,391	45,647,870

Value of the Manufacture; Number of Persons employed.—The most discordant estimates have been given as to both these points. For the most part, however, they have been grossly exaggerated. In a tract published in 1739, entitled *Considerations on the Running (Smuggling) of Wool*, the number of persons engaged in the manufacture is stated at 1,500,000, and their wages at 11,737,500*l.* a year. Dr. Campbell, in his *Political Survey of Great Britain*, published in 1774, observes, "Many computations have been made upon this important subject, and, amongst others, one about 30 years since, which, at that time, was thought to be pretty near the truth. According to the best information that can be obtained, there may be from 10,000,000 to 12,000,000 sheep in England—some think more. The value of their wool may, one year with another, amount to 3,000,000*l.*; the expense of manufacturing this may probably be 9,000,000*l.*; and the total value 12,000,000*l.* We may export annually to the value of 3,000,000*l.*, though one year we exported more than 4,000,000*l.* In reference to the number of persons who are maintained by this manufacture, they are probably upwards of 1,000,000. Sanguine men will judge these computations too low, and few will believe them too high."—(Vol. ii. p. 158.) But the moderation displayed in this estimate was very soon lost sight of. In 1800, the woollen manufacturers objected strenuously to some of the provisions in the treaty of union between Great Britain and Ireland, and were allowed to urge their objections at the bar of the House of Lords, and to produce evidence in their support. Mr. Law (afterwards Lord Ellenborough), the counsel employed by the manufacturers on this occasion, stated, in his address to their Lordships, on information communicated to him by his clients, that 600,000 packs of wool were annually produced in England and Wales, worth, at 11*l.* a pack, 6,600,000*l.*; that the value of the

manufactured goods was 3 times as great, or 19,800,000*l.*; that not less than 1,500,000 persons were immediately engaged in the operative branches of the manufacture; and that the trade collaterally employed about the same number of hands. — (*Account of the Proceedings of the Merchants, Manufacturers, &c.* p. 34.)

It is astonishing that reasonable men, conversant with the manufacture, should have put forth such ludicrously absurd statements. We have already seen, that the quantity of wool produced in England and Wales in 1800 did not really amount to 400,000 packs; and the notion that *three* out of the *nine* millions of people then in the country were directly and indirectly employed in the manufacture, is too ridiculous to deserve notice, though it was generally acquiesced in at the time. — (See Middleton's *Survey of Middlesex*, 2d ed. p. 644.; *Adolphus's Political State of the British Empire*, vol. iii. p. 236.)

Mr. Stevenson, who is one of the very few writers on British statistics to whose statements much deference is due, has given the following estimate of the value of the woollen manufactured goods annually produced in England and Wales, and of the interest, &c. of the capital, the wages, and the number of persons employed in the manufacture: —

Total value of manufactured articles -		£ 18,000,000
Value of raw material - - -	£ 6,000,000	
Interest on capital, sum to replace its wear and tear, and manufacturer's profits -	2,400,000	
Wages of workmen - - -	9,600,000	
		£ 18,000,000

Number of people employed, 480,000, or, perhaps, 500,000.

But even this estimate requires to be materially modified. Since 1815, when it was made, the manufacture has materially increased. This is evinced, as well by the increase in the growth and in the importation of wool, as by the increase of population, and of the exports of cloth and stuffs. The annual production of wool in Great Britain may, at present, be estimated at about 490,000 packs, or 117,600,000 lbs.; to which adding 30,000,000 lbs. as the average amount of imports, the whole will be 147,600,000 lbs. The value of the wool must, of course, vary from year to year with the variations of its price; but we shall seldom be far wrong if we estimate it, at a medium, at about 7,500,000*l.* a year. Now, the best practical authorities agree in opinion with Mr. Stevenson, that the value of the finished article may be taken at about 3 times the value of the raw material; making, on this hypothesis, the entire value of the manufacture 22,500,000*l.*, which we are disposed to think is pretty near the mark. There can be no doubt, however, that Mr. Stevenson's distribution of the items that make up the value of the manufactured goods is essentially erroneous. According to our information, they may be stated as follows: —

Raw material - - - -	£ 7,500,000
Oil, soap, dye stuffs, &c. - - -	1,600,000
Wear and tear of capital, and profit - -	4,650,000
Wages - - - -	8,750,000
Total value of manufactured articles -	£ 22,500,000

At present, the average wages of the people employed in the different departments of the business may be taken at about 26*l.* a year, making the total number employed 334,600. And, however small this may look, as compared with former estimates, we believe it is fully up to the mark, if not rather beyond it.

Notwithstanding the carding engine, the spinning frame, the gig or raising machine, the shearing machine, brushing-machine, &c., have been mostly introduced since 1790, it is the opinion of some well-informed manufacturers, that as many hands are at present required to produce the same quantity of cloth as at the last-mentioned epoch. This result, so different from what might be expected, is accounted for by the fact, that a great deal more work is now expended upon the cloth; the appearance of which has been vastly improved.

In 1793, cloth of a *medium quality*, worth at the time about 13*s.* a yard, was made of the best English wool. In 1815, middling cloth was made of Spanish wool, and cost 16*s.* or 17*s.* a yard; while in 1832 similar cloth was made of German, and cost about 12*s.* a yard: but, owing to the improvement of the manufacture, cloth produced in 1832, though not actually finer than that produced in 1793, had a great deal better appearance; so much so, that we have been assured by undoubted judges, that cloth worth only 10*s.* a yard in the former year looked quite as well as cloth worth 13*s.* in the latter. The deterioration in the quality of English wool, occasioned by the farmers having laboured to increase the carcase, though at the expense of the fleece, is the reason that it is now seldom used, unless mixed with foreign wool, in the manufacture of the finer cloths. — (*Private Information.*)

Distribution of the Manufacture. Factory and Domestic Systems, &c. — The principal seats of that branch of the manufacture which is especially denominated *woollen* are the West Riding of Yorkshire, and the counties of Gloucester, Wilts, and Somerset. *Worsteds* used to be principally manufactured in Norfolk; but they are now produced at Bradford, Halifax, and Leeds, but especially the first, to a much greater extent than in Norfolk. *Stockings* are mostly made in Leicestershire.

The manufacturing district of the West Riding of Yorkshire being, with the exception of that of Lancashire, by far the most important of any in the kingdom, extends from north to south about 40, its mean width being about 20, miles, including an area of nearly 800 square miles; but this space comprises the hardware manufacturing district contiguous to Sheffield, as well as the clothing district: the latter commences below Craven, and extends over a tract of which Leeds, Bradford, Halifax, Huddersfield, and Wakefield are the principal centres. Cloth is the chief article manufactured in this district, the greater part being made in the neighbourhood of Leeds, Wakefield, Huddersfield, and Saddleworth. Leeds, in particular, is the grand mart for coloured and white broad cloths. The former, which are usually called *mixed cloths*, are made wholly of dyed wool. The mixed cloth manufacturers reside partly in the villages belonging to the parish of Leeds, but chiefly at Morley, Gildersome, Adwalton, Driglington, Pudsey, Farsley, Calverley, Eccleshill, Idle, Baildon, Yeadon, Guiseley, Rawden, and Horsforth, in or bordering upon the vale of the Aire, principally to the west of Leeds; and at Batley, Dewsbury, Osset, Horbury, and Kirkburton, west of Wakefield, in or near the valley of the Calder. Very few mixed cloth manufacturers are to be found to the east and north of Leeds, and there are but few in the town itself. White cloth is principally manufactured at Alverthorpe, Osset, Kirkheaton, Dewsbury, Batley, Birstal, Hopton, Mirfield, Eccleshill, Cleckheaton, Bowling, and Shipley, a tract of country forming an oblique belt across the hills that separate the vale of the Calder from the vale of the Aire, beginning about a mile west of Wakefield, leaving Huddersfield and Bradford a little to the left, terminating at Shipley on the Aire, and not coming within less than 6 miles of Leeds on the right. The districts of the mixed and white cloth are in general distinct and separate, but in some places, particularly at their south-east and south-west extremities, they run into each other. Flannels and baizes are the principal woollen articles manufactured in and near Halifax; but cloth, especially of the kind

used by the army, is also largely made. The blanket and flushing line lies between Leeds and Huddersfield. Worsted spinning is carried on upon a very large scale, and to the exclusion of almost every thing else, at Bradford; stuffs being made in its vicinity, and in Halifax and Leeds. Narrow cloths are made in and near Huddersfield. Saddleworth furnishes broad cloths of nearly equal fineness to those of the west of England, with kerseymeres, &c. White cloths are made at Wakefield; but it is principally distinguished by its wool market, and the superior skill of its cloth-dyers. In the neighbourhood of Batley and Dewsbury are establishments called *shoddy mills*, employed in the manufacture of yarn from old woollen rags and refuse goods, of which considerable quantities are imported. A little new wool is usually intermixed with the old. The cloth answers sufficiently well for padding and other purposes of that sort.

Rochdale, in Lancashire, may be almost considered as forming a part of the woollen district of the West Riding, to which it is contiguous, being, in fact, within the parish of Saddleworth. Its manufactures consist principally of baizes, flannels, kerseys, and broad cloths. They are very extensive, and employ a great number of hands.

It is impossible accurately to ascertain the proportion which the woollen manufacture of Yorkshire bears to that of the rest of the kingdom; but we have been assured, by those well qualified to give an opinion on such a point, that it is fully *three fourths* of the whole; and this statement seems to be completely borne out by the returns obtained from the factory inspectors. From these it appears, that of 1,102 woollen factories, employing 65,461 work-people, at work in England in 1834, 601 factories, and 40,890 individuals, belonged to the West Riding.

Halls have been established for the sale of cloth at Leeds, Halifax, Bradford, Huddersfield, &c., which are attended, on the public market-days, by thousands of the smaller class of manufacturers. These halls are divided into long walks or galleries, consisting of two rows of stands, each of which is marked with the name of the individual to whom it belongs, or by whom it is occupied. On these the cloth is exposed for sale; and when the market opens, the manufacturers take their stations at the stands behind their goods; the merchants, or buyers, passing to make their purchases through the avenues between the rows. The time during which the halls are open is limited usually to an hour, or an hour and a half; and, during that brief period, purchases to a very large extent are often completed. At Leeds there are two large halls. That for mixed cloth was erected in 1758; and has about 1,800 stands. The white cloth hall is of later construction, having been built in 1775: it has 1,200 stands. These halls are appropriated exclusively to the use of those who have served regular apprenticeships to the business of cloth making. The halls at Bradford, Halifax, &c., though large and commodious, are inferior, in point of magnitude, to those of Leeds. All of them are managed by trustees; and most of the stands are said to be the freehold property of those by whom they are occupied.

A good deal of cloth is, however, produced and sold in the districts referred to without passing through the halls. This is effected by the merchants giving out samples to the manufacturers, and getting the cloth sent direct to their warehouses.

All the cloth sold in the halls is rough or undressed. Those by or for whom it is bought have what are called *finishing shops*, where the cloth is shorn, dressed, and fitted for the consumer. This is a distinct branch of the business, and it is one in which no female children, and but few boys, are employed; the machinery being for the most part attended to, and the work performed, by men.

In some of the Yorkshire factories every part of the work is performed, from the spinning of the yarn, to the dressing and finishing of the cloth: in

some, again, the yarn is sold; and in some it is given out to hand-weavers, who bring it back as cloth. But we understand that the greater number confine themselves to some one department, of which the dressing and finishing is the most extensive.

For a lengthened period various acts of parliament existed, some of them being applicable only to certain districts, called the *Stamping Acts*. These were intended to obviate frauds in the measurement of cloth; but, at length, their impolicy became obvious to every one, and they were finally repealed in 1818. From 1725 down to that period, returns were annually made to the justices at Pontefract sessions, from officers at the different fulling-mills, of the quantity of cloth manufactured in the West Riding. Kerseymeres and various other articles were not, however, included. We subjoin a copy of these returns: —

Account of the Number of Broad Cloths milled at the several Fulling-Mills in the West Riding of the County of York, from the 12th of March, 1726, and thence annually distinguishing each year; and of the Narrow Cloths, from the 20th of January, 1738, and thence annually distinguishing each year: exhibiting, also, the Number of Yards made each year, from Easter Sessions, 1768.

Years.	Broads.	Narrows.	Years.	Broad Pieces.	Yards.	Narrow Pieces.	Yards.
1726	26,671	—	1769	92,522	2,771,667½	87,762	2,111,019
1727	28,990	—	1770	93,075	2,717,105	85,376	2,055,677
1728	25,225½	—	1771	92,782	2,666,224½	89,229	2,125,625
1729	29,615	—	1772	112,370	3,225,913½	95,539	2,377,517½
1730	31,579½	—	1773	120,245	3,435,614½	89,87[illegible]	2,206,235
1731	35,565	—	1774	87,201	2,587,361½	88,329	2,153,783
1732	35,548½	—	1775	95,878	2,841,213	96,794	2,141,007
1733	34,630	—	1776	99,733	2,975,389	99,586	2,188,1[illegible]½
1734	31,123	—	1777	107,750	3,153,891	95,786	2,401,583
1735	31,744½	—	1778	132,506	3,795,990	101,629	2,716,712
1736	38,899	—	1779	110,942	3,127,150	93,143	2,059,659
1737	42,256	—	1780	94,625	2,802,671	87,309	2,571,521
1738	42,404	14,495	1781	102,018	3,099,127	98,721	2,671,397
1739	43,086½	58,848	1782	112,470	4,158,105	96,715	2,595,751
1740	41,441	58,620	1783	131,092	4,565,376	108,611	3,292,082
1741	46,364	61,196	1784	138,023	4,091,535	115,500	3,356,618
1742	44,954	62,804	1785	157,275	4,844,855	116,056	3,109,278
1743	45,178½	63,545	1786	158,792	4,931,975	123,025	3,556,859
1744	54,627½	63,055	1787	155,718	4,850,852	128,740	4,058,157
1745	50,453	65,425	1788	139,406	4,241,522	152,143	4,208,303
1746	56,657	68,775	1789	154,151	4,716,460	115,495	4,109,673
1747	62,480	68,374	1790	172,588	5,151,677	140,107	4,589,122
1748	60,765	68,080	1791	187,569	5,815,079	154,373	4,797,594
1749	60,705½	68,889	1792	214,851	6,760,728	180,168	5,531,698
1750	60,447½	78,115	1793	190,332	6,054,916	180,666	4,783,722
1751	60,964	74,022	1794	190,988	6,067,208	130,403	4,634,258
1752	60,724	72,442	1795	220,993	7,759,907	155,087	5,172,511
1753	55,558	71,618	1796	246,775	7,830,536	151,594	5,245,704
1754	56,070½	72,534	1797	229,292	7,235,038	156,709	5,503,618
1755	57,125	76,295	1798	221,159	7,131,114	148,566	5,180,313
1756	35,590½	79,518	1799	272,755	8,806,688	180,168	6,377,277
1757	55,777½	77,097	1800	285,851	9,263,966	169,262	6,011,120
1758	60,396	66,396	1801	264,082	8,699,242	157,251	4,833,534
1759	51,877½	65,513	1802	265,660	8,686,046	137,016	5,023,554
1760	49,362½	69,573	1803	266,785	8,942,798	139,575	5,023,996
1761	48,944	75,468	1804	298,178	9,987,255	150,010	5,110,179
1762	48,621	72,946	1805	300,237	10,079,256	165,847	6,193,317
1763	48,038½	72,096	1806	290,269	9,561,178	175,331	6,430,101
1764	54,946	79,458	1807	280,056	9,111,006	168,120	6,180,981
1765	54,669	77,419	1808	279,859	9,050,970	144,624	5,301,007
1766	72,575½	78,893	1809	311,239	9,826,048	151,911	5,951,762
1767	102,428	78,819	1810	275,664	8,671,012	158,252	6,180,811
1768	90,036	74,380	1811	269,892	8,535,559	141,809	5,715,554
			1812	318,451	9,949,419	136,863	5,117,209
			1813	369,890	11,702,837	142,865	5,515,755

This table shows the great increase of the manufacture in the West Riding during the period to which it refers; and the extraordinary increase in the number of factories erected since 1813, and in the imports of foreign wool, show that the manufacture has continued to increase, since the last-mentioned epoch, with even more rapidity than before.

The woollen manufacture is carried on to a greater extent in Gloucester than in any other of the western counties. Broad cloths of various sorts are made in it, but chiefly superfine, of Saxon, Australian, and Spanish wool; and fine narrow fancy goods are, also, extensively produced. The manufacture is carried on in the district called the *Bottoms*, including parts of the several parishes of Avening, Painswick, Pitchcomb, Randwick, Minchinhampton, Stroud, Biesly, Rodborough, Stonehouse, King's Stanley, Leonard Stanley, Wood Chester, Horsley, and Eastington: extensive works are also carried

on at Dursley, Cam, Uley, Alderley, Wickwar, and Wooton-under-Edge. Stroud may be considered as the centre of the manufacture in this part of the country, all the surrounding valleys exhibiting ranges of houses or villages occupied by persons engaged in this business; and the banks of the Frome being thickly set with fulling-mills. In 1834 there were, in Gloucestershire, 118 woollen factories, employing 7,973 work-people; being the next greatest district to the West Riding of Yorkshire.

Bradford, in Wiltshire, is the centre of what is, perhaps, the greatest fabric of superfine cloth in England, the district including the surrounding towns of Trowbridge, Westbury, Melksham, and Chippenham. Woollen cloth, of a thin texture, is made at Wilton; and cloths of various qualities, but all fine, are made at Warminster, Heytesbury, and Calne. In 1834, there were in Wilts 63 woollen factories, employing 3,258 work-people.

In Somersetshire the manufacture is carried on at Taunton, where the goods produced are principally of a coarse fabric, and at Frome and Tiverton (near Bath); Shepton Mallet has entirely lost its woollen trade. Taunton is famed for its manufacture of second cloth; Frome for superfine, of which it produces a large supply. West of England cloths are commonly divided into 5 classes, according to their thickness: the thickest are double milled superfine; the finest and thinnest cloths are for the Turkey trade; ladies' cloths are rather thicker than these; cloths manufactured for the East and West Indies a degree thicker; the superfine being, in point of thickness, next to the double-milled superfine already mentioned. The Western woollen manufacture also extends into parts of Dorsetshire; Sturminster Newton, in that county, producing white baize and flannels.

The county of Norfolk was long the principal seat of the stuff or worsted manufacture. The name worsted is said, as previously mentioned, to be derived from Worsted, a parish in this county, where woollen twist and stuffs were first made. But the manufacture was early transferred to Norwich, whence it extended to other towns. A number of refugees, who sought an asylum at Norwich from the persecutions of the Duke of Alva, introduced the manufacture of bombasins, for which this city was afterwards distinguished. It has been, also, celebrated for its manufacture of crapes and camlets; and, more recently, for that of shawls. On the whole, however, the manufactures of Norwich appear to have declined considerably during the present century; and those in the other towns of the county are at present of trifling importance. This falling off is principally, we believe, ascribable to the want of coal, and to the consequent disadvantage under which most businesses are carried on here, as compared with those established in the districts where this mineral abounds: in fact, the greater part of the yarn now made use of in the Norwich fabrics is made at Bradford in Yorkshire; and, as already stated, the worsted manufacture of the West Riding is become of decidedly greater extent and value than that of Norfolk. Worsted yarn is also largely produced in Leicestershire; and to some extent in Warwick, and other places.

Exclusive of the leading fabrics already adverted to, an immense variety of woollen goods, the mere recapitulation of the names of which would be a tedious task, are manufactured in various places. Druggets, long-ells, &c., are made in Devonshire and the contiguous parts of Cornwall, and in some parts of Somerset. They are sold as they come from the loom to the merchants of Exeter, by whom they are milled, dyed, finished, and afterwards exported. The East India Company were the principal buyers of long-ells; but, as they are but little used at home, and the exports have declined, the manufacture is no longer in a flourishing state. The manufacture of plush, at Modbury in Devonshire, deserves notice; but, notwithstanding the ingenious machinery that was employed, it is much decayed.

Baize was formerly largely produced in the towns and neighbourhood of

Colchester, Bocking, Braintree, and Coggleshall, in the county of Essex; but the manufacture has almost entirely passed to other places, especially to Rochdale in Lancashire. Baize and flannels are also manufactured at Bury in Lancashire; and the former article, with coarse cloth and blankets, at Chichester in Sussex. Salisbury is noted for its flannels. Blankets are made at Dewsbury, Witney, Dulverton, &c. But with respect to Witney it may be observed, that, since the introduction of machinery, the chief part of the blankets sold at its markets (though they still retain their former name) are really made in Glamorganshire. Carpets, of every variety of quality and pattern, and of a very great value, are manufactured at Kidderminster, Wilton, Cirencester, Worcester, Axminster, &c. The best of those made at Wilton and Axminster are deemed but little, if at all, inferior to those imported from Turkey and Persia.

Coarse woollens, druggets, &c., are made in considerable quantities at Kendal, Ambleside, and Keswick. Druggets, shalloons, serges, and a variety of worsted articles, at Andover, Basingstoke, and Alton, in Hampshire. Worsted shags, at Banbury and Coventry; rugs, at Burford; and fleecy hosiery, at Godalming, in Surrey. Light stuff, bunting, crape, &c., are made at Sudbury, Bury St. Edmund's, Needham Market, and Lavenham. Woollen yarn is likewise made at Mottram in Cheshire, and in various parts of Lancashire, &c.

Leicestershire is the grand seat of the manufacture of woollen and worsted stockings. In 1833, there were estimated to be in all 11,200 stocking-frames employed in the county, principally in the borough of Leicester and its vicinity, but partly also at Loughborough (celebrated for the manufacture of patent fleecy hosiery), Hinckley, and other places. Of these, fully 10,000 were employed upon wool. The yarn used in the manufacture is partly prepared in the county, and partly brought from a distance.

In 1833, Mr. Felkin, of Nottingham, well known for his attention to statistical inquiries, estimated the number of frames employed in the United Kingdom, in the manufacture of woollen and worsted stockings, at 13,700. Of these, the proportion belonging to England may be taken at about 12,000. Mr. Felkin farther estimated the entire value of the wool and worsted hosiery at 870,000*l.* But in this estimate no allowance is made for the value of the stockings produced by wires; which, though very much fallen off, is still far too considerable to be altogether neglected. — (*Paper on the Hosiery Trade*, by Mr. Felkin.)

Woollen Manufacture of Wales. — This is principally situated in North Wales, in the counties of Montgomery, Merioneth, and Denbigh. Its products consist of webs, flannels, stockings, socks, wigs, and gloves. The webs manufactured in North Wales are distinguished into 2 sorts; *strong*, or *high country, cloth;* and *small*, or *low country, ditto*. The first kind is made in Merioneth, principally on the domestic system; though, in some parts, there are factories—(see *post*). Almost every little farmer makes webs, and few cottages are without a loom. In some cases, the manufacturing farmers employ wool of their own growth; but it is principally bought from the woolstaplers and skinners: all kinds are used indiscriminately. The qualities of the manufactured article are very various. There is a market for strong cloth at Shrewsbury; but it is customary for the drapers of that town to travel into the country, and buy goods wherever they find them. It is usual, also, for the principal drapers to keep servants the greater part of the year among the manufacturers, who get acquainted with them, assist those who are poor with loans to purchase wool, and superintend the making and dressing of the goods. A good deal of the strong cloth is exported to the continents of Europe and America; but a very considerable quantity is retained at home for workmen's jackets, ironing cloths, blankets, &c.

The small cloth is manufactured in Denbighshire, in that tract of

country which includes Llangollen and Corwen. The factory system has not yet been applied to this article. The raw material is procured from the neighbourhood of Oswestry, and is sorted into 2 kinds; the finer part being manufactured into a sort of flannel, called Oswestry flannel; while the coarser part is made into small cloth: most of this is sent abroad. The clothing of the slaves in the West Indies and South America creates a large demand: it is also said to be made into stockings in Germany, and other parts of the Continent.

Flannels form the most important and valuable article of the Welsh manufactures: they are principally made in Montgomeryshire; but not entirely so, for they are also made in various places within a circle of about 20 miles round Welshpool. The manufacture used to be principally conducted upon the domestic system; but there are now many factories in which it is carried on. In Shropshire, too, into which the manufacture has spread itself, machinery is pretty generally employed. A market for flannels is held at Welshpool every alternate week: formerly the manufacturers used to bring thither their goods; but now a set of middle-men go about the country, and buy all the flannels they can lay their hands on. At this market nothing is sold on credit, every piece being paid for as soon as measured; and a similar system prevails at the other woollen markets throughout the principality. Stockings, socks, wigs, and gloves are made principally in the town and neighbourhood of Bala.

The goods produced in the west of England, and in Norfolk, are not sold, like those of the West Riding of Yorkshire, in halls, but at public fairs or markets, or to the agents sent round by the drapers.

The woollen manufacture of the south of England has, speaking generally, fallen very much off within the last 30 years; a circumstance ascribable, no doubt, to the greater advantages enjoyed, through the possession of coal and otherwise, by the northern manufacturers. The manufacture in the western counties has stood its ground better: it is pretty certain, however, that, down to a recent period, it was gradually, though slowly, declining; but latterly it has revived. Within these few years various improvements have been made in different departments; and, besides the extension of those branches of which it had retained possession, it is now recovering some of those which it was supposed were wholly transferred to the north.

Woollen Manufacture of Scotland. — As compared with that of England, the woollen manufacture of Scotland is quite inconsiderable. Formerly it was usual for the occupiers of land to spin in their own houses the greater part of their wool, and to send the yarn to a weaver in a contiguous village, to get it woven into a species of coarse cloth, called *plaiding*; but this sort of manufacture could exist only in a rude and backward state of society, and is now entirely abandoned. Factories for the making of fine cloth have since been set on foot in various parts of Aberdeenshire, and in some other counties; but coarse cloth still continues to form the staple article of Scotch manufacture. Some of the woollen spinning-mills and factories established at Aberdeen and its vicinity are upon a very large scale. Coarse cloths are pretty largely produced at Galashiels, Jedburgh, &c., but particularly the first, where their quality has been much improved. They used also to be produced in considerable quantities at Hawick; but the attention of the manufacturers of the latter is now principally directed to the production of woollen hose, of which they annually furnish about 500,000 pairs, exclusive of blankets and flannels. Tartans are principally produced in the counties of Stirling (especially in the town), Argyle, and Inverness. Bonnets, which were, at one time, almost universally worn by the middle and lower classes in all parts of Scotland, are now every where throughout the Lowlands superseded by hats; and they are, also, rapidly disappearing in the Highlands. At Kilmarnock, which is one of the most flourishing manufacturing

towns in Scotland, above 1,000 weavers are employed in the carpet manufacture, which is also carried on at Stirling, and some other places. Kilmarnock is further supposed to furnish an annual supply of about 1,200,000 worsted shawls; besides large numbers of bonnets, and foraging caps for the army. Altogether, there were in Scotland, in 1834, 90 woollen factories, employing 3,505 work-people.

Woollen Manufacture of Ireland. — Owing to the unsettled, turbulent state of the country, and the dependence uniformly placed by the great mass of the inhabitants on agricultural pursuits, manufactures, with, perhaps, the single exception of linen, have always been in a depressed state in Ireland. The woollen manufacture is said to have made some considerable progress in the interval between 1640 and 1687; though, considering the convulsed state of the country during that period, and the wars and proscriptions of which it was the theatre, it is difficult to believe that it could be very perceptible: but, such as it was, it alarmed the English manufacturers; who prevailed on parliament to address William III. to take measures for *discouraging the woollen manufacture in Ireland!* and in consequence the exportation of Irish wool and woollens to foreign countries was prohibited, and oppressive duties laid on the importation of Irish woollens into England. The gross injustice and impolicy of such measures are too obvious to need being pointed out. We do not, however, believe that they had any considerable practical influence; or that the woollen manufacture of Ireland would have been in a much more advanced state than it really is, had the measures referred to never been heard of. The facilities enjoyed by England for the successful prosecution of the manufacture are so very great, that it seems quite visionary to suppose that she should, under any circumstances, have any thing to fear from the competition of Ireland.

In 1779, the prohibition of the export of Irish woollens to foreign countries was repealed. The Act of Union, also, gave fresh facilities to the Irish manufacture, notwithstanding the unreasonable opposition of the British manufacturers, and of a considerable party in parliament. And at length, in 1823, all duties and restrictions on the woollen trade between the two divisions of the empire were put an end to, and the Irish manufacturer placed, in all political respects, on the same footing as the British. This, however, has not hitherto been of much advantage to Ireland. The continued prevalence of agitation has deterred capitalists from making investments in that country; and, though this cause had not existed, the want of abundant and cheap supplies of good coal, and of expert and careful workmen, would have opposed all but insuperable obstacles to the progress of the manufacture. Instead, therefore, of advancing, it has declined. Several of the factories, that were bolstered up by the protecting duties abolished in 1823, have been since abandoned. At present, the only broad cloth factories in Ireland are in the vicinity of Dublin, and at Glenmire, near Cork; but these, with the factories in every other part of the country, do not employ more than from 1,500 to 1,600 hands. Flannels are made in Wicklow, though to no great extent; and the blanket manufacture exists on a small scale in Kilkenny.

Modes in which the Woollen Manufacture is carried on. — The woollen manufacture of the West Riding of Yorkshire, and of Gloucester, Wilts, Somerset, and North Wales, is carried on in 3 different modes: 1st, on the system of the master clothier of the west of England; 2d, on the factory system; and, 3d, on the domestic system. We shall briefly notice the peculiar features of each: —

1. Through the whole of the west, as well as in the north, of England there are factories; but the practice is for the master clothier of the west of England to buy his wool, if it be foreign, from the importer, mostly assorted, but partly in the fleece, or from the woolstapler if it be of domestic growth; employing, in all the different processes through which it passes in the course of its manu-

facture, distinct classes of persons, who sometimes work at their own houses, and sometimes in the factories of their masters. Each workman confines himself exclusively to a peculiar branch of the manufacture; and the greater skill and dexterity resulting from this more perfect division of employments was believed by the committee of 1806 to be the principal cause of the acknowledged excellence of the west of England cloths. The committee state that, previously to the introduction of machinery, it was common (and the practice is not yet entirely relinquished) for the north countryman to come into the west of England to purchase wool; and, having worked it up in Yorkshire, to carry it back in a manufactured state, and sell it in its native county. This is supposed to proceed from the system followed in the north giving the clothier more liberty to work himself, and employ his family and others, in any way that his interest or fancy suggested: but the practice is now nearly fallen into disuse.

2. In the factory system, the master manufacturers, who sometimes possess a large amount of capital, employ a greater or smaller number of workmen, in one or more buildings or factories, under their own inspection, or that of their superintendents. This system admits, of course, like that of the master clothier of the west of England, of much variation; but in neither has the workman any property in the goods he is employed to produce: and this, as the committee justly state, forms the essential distinction between them and the domestic system.

3. The latter was the original system; and was, indeed, the only one heard of, till the accumulation of capital, and the introduction of improved and expensive machinery, paved the way for the others. It is now principally confined to the vicinity of Leeds, Huddersfield, and North Wales; at least, they are the only places where it is at present carried on to such an extent as to deserve any particular notice. Under this system, the manufacture is conducted by a number of small masters, generally possessed of but very limited capital, who, besides their business as manufacturers, mostly occupy farms of a few acres, partly for the support of their families, and partly for the convenience of their manufacture. The domestic clothiers have, in these houses, sometimes only 1 loom, sometimes 2 or 3, and but seldom as many as 4: at these they employ themselves, their wives and children, and from 2 or 3 to 6 or 7 journeymen. During harvest, their wives, children, and servants are sent out to work. Formerly the domestic manufacturers used to carry the wool through all the stages of its manufacture, till it was brought to the state of undressed cloth; but for several years past they have availed themselves, in the performance of various processes, of the *public mills* established in or near all the manufacturing villages in the district which is the seat of the domestic system. These mills have been, in various instances, erected on a joint-stock principle, by shares of 50*l.* or 100*l.* each, principally subscribed by the domestic clothiers, to whom they have been of the greatest service. They have, in fact, enabled them to maintain a successful competition with the large manufacturers in the production of inferior cloth; that is, of cloth worth 8*s.* a yard and under. A good many of the smaller manufacturers have also become partners in factories.

The extension of the factory system, consequent on the improvements that were made in machinery subsequently to 1790, excited the fears and jealousy of the domestic clothiers, and even led to outrages. At last, in order effectually to arrest the progress of what they naturally enough considered a very serious evil, they petitioned parliament to enforce the statute 5 & 6 Edward VI., which they contended applied to gig-mills, and the statute 2 & 3 Philip and Mary, limiting the number of looms in one building. (See *antè*, p. 45.) These petitions were referred to a committee; and in their report, to which we have already referred, the most satisfactory reasons are assigned, not only

for refusing to accede to the request of the domestic clothiers, but for recommending the repeal of both statutes.

We extract from the report the following statements, which set some of the peculiar advantages belonging to both the domestic and factory systems in a very clear point of view; at the same time that they explain the grounds on which the committee concluded that the fears entertained by the domestic clothiers, of being swallowed up by the factory system, were, in a great degree, visionary and ill founded: —

"Your committee cannot wonder that the domestic clothiers of Yorkshire are warmly attached to their accustomed mode of carrying on the manufacture: it is not merely that they are accustomed to it — it obviously possesses many eminent advantages seldom found in a great manufacture.

"It is one peculiar recommendation of the domestic system of manufacture, that, as it has been expressly stated to your committee, a young man of good character can always obtain credit for as much wool as will enable him to set up as a little master manufacturer; and the public mills, which are now established in all parts of the clothing district, and which work for hire at an easy rate, enable him to command the use of very expensive and complicated machines, the construction and necessary repairs of which would require a considerable capital. Thus, instances not unfrequently occur, wherein men rise from low beginnings, if not to excessive wealth, yet to a situation of comfort and independence. It is another advantage of the domestic system of manufacture, and an advantage which is obviously not confined to the individuals who are engaged in it, but which, as well as other parts of this system, extends its benefits to the landholder, that any sudden stoppage of a foreign market, any failure of a great house, or any other of those adverse shocks to which our foreign trade, especially, is liable in its present extended state, has not the effect of throwing a great number of workmen out of employ, as, in the domestic system, the loss is spread over a large superficies: it affects the whole body of the manufacturers; and though each little master be a sufferer, yet few, if any, feel the blow so severely as to be altogether ruined. Moreover, it appears in evidence that, in such cases as these, they seldom turn off any of their standing set of journeymen, but keep them at work in hopes of better times.

"On the whole, your committee feel no little satisfaction in bearing their testimony to the merits of the domestic system of manufacture; to the facilities it affords to men of steadiness and industry to establish themselves as little master manufacturers, and maintain their families in comfort by their own industry and frugality; and to the encouragement which it thus holds out to domestic habits and virtues. Neither can they omit to notice its favourable tendencies on the health and morals of a large and important class of the community.

"But while your committee thus freely recognise the merits and value of the domestic system, they at the same time feel it their duty to declare it as their decided opinion, that the apprehensions entertained of its being rooted out by the factory system are, at present at least, wholly without foundation.

"For, happily, the merchant, no less than the domestic manufacturer, finds his interest and convenience promoted by the domestic system: while it continues, he is able to carry on his trade with far less capital than if he were to be the manufacturer of his own cloth. Large sums must then be irrecoverably invested in extensive buildings and costly machinery; and, which perhaps is a consideration of even still more force, he must submit to the constant trouble and solicitude of watching over a numerous body of workmen. He might then often incur the expense of manufacturing articles which, from some disappointment in the market, must either be kept on hand, or be sold to a loss. As it is, he can agree with his customer at home or abroad for any quantity of goods; and, whether on a long-expected or a sudden demand, he can repair at once to the market, and, most probably, purchase to the precise extent of his known wants; or, if the market happen not to furnish what he wishes to purchase, he can give out his sample, and have his order executed immediately. While these, and various other considerations which might be stated, interest the merchant, as well as the manufacturer, in the continuance of the domestic system; and when it is remembered that this mode of conducting the trade greatly multiplies the merchants, by enabling men to carry on business with a

comparatively small capital, your committee cannot participate in the apprehensions which are entertained by the domestic clothiers. In fact, there are many merchants, of very large capitals, and of the highest credit, who for several generations have gone on purchasing in the halls; and some of this very description of persons state to your committee, that they not only had no thoughts of setting up factories themselves, but that they believed many of those who had established them were not greatly attached to that system, but only persisted in it because their buildings and machinery must otherwise lie a dead weight upon their hands. Under these circumstances, the lively fears of the decline of the domestic, and the general establishment of the factory, system may reasonably excite surprise. It may have been in part occasioned by the decrease of the master manufacturers in the immediate neighbourhood of the large towns, especially in two or three populous hamlets adjoining to Leeds, whence they have migrated to a greater distance in the country where they might enjoy a little land, and other conveniences and comforts. It may have strengthened the impression that, as your committee have already stated, three or four factories have, within no very long period of time, been established in Leeds, or its vicinity.

"The right of every man to employ the capital he inherits, or has acquired, according to his own discretion, without molestation or obstruction, so long as he does not infringe on the rights or property of others, is one of those privileges which the free and happy constitution of this country has long accustomed every Briton to consider as his birthright; and it cannot, therefore, be necessary for your committee to enlarge on its value, or to illustrate its effects. These would be indubitably confirmed by an appeal to our own commercial prosperity, no less than by the history of other trading nations, in which it has been ever found that commerce and manufactures have flourished in free, and declined in despotic, countries. But, without recurring to principles of which, even under different circumstances, your committee would be compelled to admit the force, your committee have the satisfaction of seeing that the apprehensions entertained of factories are not only vicious in principle, but that they are practically erroneous to such a degree, that even the very opposite dispositions might be reasonably entertained: nor would it be difficult to prove, that the factories, to a certain extent at least, and in the present day, seem absolutely necessary to the well-being of the domestic system; supplying those very particulars wherein the domestic system must be acknowledged to be inherently defective: for it is obvious that the little master manufacturers cannot afford, like the man who possesses considerable capital, to try the experiments which are requisite, and incur the risks, and even losses, which almost always occur, in inventing and perfecting new articles of manufacture, or in carrying to a state of greater perfection articles already established. He cannot learn by personal inspection the wants and habits, the arts, manufactures, and improvements, of foreign countries; diligence, economy, and prudence are the requisites of his character; not invention, taste, and enterprise: nor would he be warranted in hazarding the loss of any part of his small capital. He walks in a sure road as long as he treads in the beaten track; but he must not deviate into the paths of speculation. The owner of a factory, on the contrary, being commonly possessed of a large capital, and having all his workmen employed under his own immediate superintendence, may make experiments, hazard speculation, invent shorter or better modes of performing old processes, may introduce new articles, and improve and perfect old ones; thus giving the range to his taste and fancy, and thereby alone enabling our manufacturers to stand the competition with their commercial rivals in other countries. Meanwhile, as is well worthy of remark (and experience abundantly warrants the assertion), many of these new fabrics and inventions, when their success is once established, become general among the whole body of manufacturers; the domestic manufacturers themselves thus benefiting, in the end, from those very factories which had been, at first, the objects of their jealousy. The history of almost all our other manufactures, in which great improvements have been made of late years, in some cases at an immense expense, and after numbers of unsuccessful experiments, strikingly illustrates and enforces the above remarks. It is, besides, an acknowledged fact, that the owners of factories are often among the most extensive purchasers at the halls, where they buy from the domestic clothier the established articles of manufacture, or are able at once to answer a great and sudden order; while at home, and under their own superintendence, they make their

fancy goods, and any articles of a newer, more costly, or more delicate quality, to which they are enabled, by the domestic system, to apply a much larger proportion of their capital. Thus the two systems, instead of rivalling, are mutual aids to, each other; each supplying the other's defects, and promoting the other's prosperity."

Experience has proved the correctness of these conclusions. The number of small manufacturers, and the quantity of cloth produced by them, have both increased since 1806; but, as the number of factories, and the quantity of cloth made in them, have increased still more rapidly, the former constitute, at present, a less proportion of the trade.

Comparative moral Influence of the Factory and Domestic Systems. — The committee have made no remarks on this head; and it comes, indeed, more within the sphere of the politician and moralist than of the statistician. Though the question be not free from difficulty, we are, on the whole, disposed to agree with those who think that the domestic system is, in a moral point of view, decidedly superior to the other. In it the manufacturer works at home, surrounded by his family, on goods which are his own property. In this case, therefore, the young are not corrupted by the contaminating influence of the unworthy companions they may meet with at factories; and, being under their father's eye, they are restrained from indulging in vicious habits: while the industry of the family is stimulated by the consciousness that they are working for themselves, and that they will reap all the advantage of superior perseverance and skill. It is really, however, quite unfair to contrast the condition of those employed in factories with that of the small country clothiers. Factories are, for the most part, established in considerable towns: and the individuals engaged in them are not often taken from the class of small manufacturers, but from a very inferior class, who have few or none of the advantages enjoyed by the clothiers. To such persons, and particularly to their children, well-conducted factories are really schools of improvement; and both their morals and their health are improved by being in them. Those familiar with the cold and comfortless habitations of the poor in many of the large towns, and the little attention paid to the children, will have no difficulty in assenting to what is now stated. Provided the children be not sent too early to factories, nor wrought too hard, they acquire habits of industry, and of regular, orderly conduct, that are of the highest importance; and the influence of which is materially assisted by the education they receive at the Sunday schools.

Health of the People employed in Woollen Factories. — There is, as might be expected, a great deal of conflicting and contradictory assertion on this point, and but little evidence that can be entirely depended upon. It is evident, indeed, that much of the influence of a factory depends on its construction, the branches carried on in it, and the way in which it is managed; so that what may be true of some, may be quite false if affirmed of others. On the whole, however, we are inclined to think that, speaking generally, woollen factories may be said to be decidedly healthy. Children are now rarely admitted into them under 9 years of age: the proportion of females, at least in the English factories, is less than in most other manufactures: the hours of working have, also, been materially reduced, and greater attention paid to ventilation, cleanliness, and comfort within the last dozen years. The late Mr. Thackrah, an intelligent surgeon of Leeds, states, that slubbers and spinners are "strong, robust, and healthy."* Some of the other departments are, no doubt, less favourable; but, taking the whole manufacture together, there is certainly nothing in it, provided the hours of labour be not excessive, to occasion any injury to health.

The statements as to the mortality in Leeds, given in the Table in the *Appendix to the Report of the Committee of the House of Commons on the*

* *On the Effect of Trades, Professions, &c. on Health and Longevity*, 2d ed. p. 33.

Employment of Children in Factories, have been shown to be totally without foundation. It appears, from the authentic returns given by Mr. Thorpe, that the mortality at Leeds has materially decreased since 1801, notwithstanding there were hardly any factories at that period. The population of the township, in 1801, was 30,669; and as the burials, at an average of the 3 preceding years, were 941 annually, the rate of mortality must have been about 1 in 32·5: but in 1831 the population had increased to 71,602; while the burials, at an average of the 3 preceding years, were 1,718 annually, showing that the rate of mortality had been reduced to 1 in 41·5. This, however, owing to the increase of population, is not really so great an improvement as it would seem: but of there having been a material improvement there can be no doubt; and it appears, comparing, at each period, the numbers of those who died under, and those who died at and above, 40 years of age, with the population, that the improvement has been pretty equally distributed over the whole period of life; though rather in a greater degree above 40 than below that age. — (See Mr. Drinkwater's *Report on Yorkshire*, in the papers published by the Factory Commissioners, C. 1. p. 161.; and the authorities referred to.)

Males and Females employed. — Wages. — The following tables, exhibiting the respective numbers of males and females, classed according to their ages, with the wages payable to each, in various woollen factories in different parts of the kingdom, have been deduced from the returns made by the Factory Commissioners. They exhibit some very striking discrepancies, for which it is very difficult to account. In Leeds and the adjoining district, the males in factories are to females nearly in the proportion of 30 to 21; in Somerset they are as 49 to 38; in Gloucester, as 122 to 76; and in Wilts, as 187 to 82. In Aberdeenshire we have a totally different result, the males being there to the females only in the proportion of 30 to 60! We are well assured that this extraordinary difference has very little indeed to do with the supposed greater strength of the Scotch females; and that it depends principally on the difference of the work, and the comparatively small demand for female labour in other departments in Aberdeenshire.

The wages of adults seem to be much higher in Leeds and the adjoining district than anywhere else. Dr. Mitchell, in his report to the commissioners, thinks that this may be owing, at least as compared with other places in England, to the comparatively small amount of poor rates in Leeds; and it is reasonable to suppose that this must have a considerable influence. But the rate of wages is liable to be affected by so many circumstances, — depending partly on the nature of the work, partly on the good or defective state of the machinery employed, partly on the prosperous or backward state of the manufacture, partly on the cost of provisions, lodgings, &c., — that it is impossible to conclude, from the subjoined tables (*see next page*), how much it really differs, supposing the circumstances to be the same, in the undermentioned places.

Sect. III. *Cotton Manufacture.*

The precise period when the cotton manufacture was introduced into England is not known; but it is most probable that it was some time in the early part of the 17th century. The first authentic mention is made of it by Lewis Roberts, in his *Treasure of Traffic*, published in 1641, where it is stated, "The town of Manchester, in Lancashire, must be also herein remembered, and worthily, for their encouragement, commended, who buy the yarne of the Irish, in great quantity; and, weaving it, return the same again into Ireland to sell. Neither doth their industry rest here; for they buy cotton wool in London, that comes first from Cyprus and Smyrna, and at home worke the same, and perfect it into fustians, vermilions, dimities, and other such stuffes, and then return it

Tables exhibiting, separately, the Numbers of Males and Females, classed according to their Ages, with the Wages paid to each in certain Factories in the West Riding of Yorkshire, Gloucestershire, Somersetshire, Wiltshire, and Aberdeenshire, according to the Returns of the Factory Commissioners.

West Riding of Yorkshire.

Age.	Males. Number employed.	Males. Average Weekly Wages.	Females. Number employed.	Females. Average Weekly Wages.
		L. s. d.		*L. s. d.*
Below 11	214	0 2 0	197	0 2 5
From 11 to 16	700	0 4 4¼	724	0 4 6¾
— 16 — 21	475	0 9 9	559	0 6 5¾
— 21 — 26	302	0 19 6¾	285	0 7 0
— 26 — 31	241	1 2 5¾	174	0 7 4¾
— 31 — 36	251	1 2 6	85	0 7 2¾
— 36 — 41	165	1 2 6¼	85	0 7 7
— 41 — 46	158	1 2 0	52	0 6 10½
— 46 — 51	118	1 2 0¾	28	0 7 1¾
— 51 — 56	76	1 1 0¾	9	0 7 5¾
— 56 — 61	44	1 1 11	11	0 6 3½
— 61 — 66	32	1 0 3	3	0 3 5¾
— 66 — 71	14	0 16 8½		
— 71 — 76	5	0 15 3		
— 76 — 81	- -	- -	1	0 7 0
— 81 — 86				
	2,995		2,113	

Gloucestershire.

Age.	Males. Number employed.	Males. Average Weekly Wages.	Females. Number employed.	Females. Average Weekly Wages.
		L. s. d.		*L. s. d.*
Below 11	134	0 1 8¾	75	0 1 7
From 11 to 16	333	0 3 1¾	153	0 2 7¾
— 16 — 21	182	0 6 9¾	166	0 4 6¾
— 21 — 26	116	0 11 5¾	79	0 5 6
— 26 — 31	111	0 12 11¾	79	0 5 6¾
— 31 — 36	83	0 15 3¾	54	0 5 8
— 36 — 41	70	0 14 4¾	50	0 5 5¾
— 41 — 46	59	0 13 8	38	0 5 7
— 46 — 51	58	0 13 2	37	0 4 4¾
— 51 — 56	35	0 11 4	13	0 4 4¾
— 56 — 61	22	0 16 0	13	0 5 0
— 61 — 66	13	0 13 8	8	0 5 0¾
— 66 — 71	7	0 10 11		
— 71 — 76	2	0 11 3	1	0 1 6
— 76 — 81	4	0 8 4	1	0 7 0
	1,229		767	

Somersetshire.

Age.	Number employed.	Average Weekly Wages.	Number employed.	Average Weekly Wages.
Below 11	56	0 2 1¾	18	0 2 0
From 11 to 16	132	0 3 5¾	62	0 2 10¾
— 16 — 21	80	0 7 10	91	0 5 1½
— 21 — 26	62	0 14 10¾	67	0 6 6
— 26 — 31	53	0 16 3¾	35	0 7 5¾
— 31 — 36	54	0 17 10¾	25	0 8 1
— 36 — 41	42	0 19 9¼	28	0 6 9
— 41 — 46	41	0 16 10¾	21	0 7 4¾
— 46 — 51	36	0 18 0¾	16	0 6 11½
— 51 — 56	17	0 14 4¾	7	0 7 11
— 56 — 61	11	0 16 3¾	5	0 5 3
— 61 — 66	6	0 12 2	3	0 3 3¾
— 66 — 71	5	0 12 0	2	0 5 0
— 71 — 76	1	0 11 8	1	0 2 0
— 76 — 81				
	496		381	

Wiltshire.

Age.	Number employed.	Average Weekly Wages.	Number employed.	Average Weekly Wages.
Below 11	115	0 1 9	35	0 2 3
From 11 to 16	569	0 2 10¾	135	0 2 9¾
— 16 — 21	309	0 6 1¾	136	0 4 9
— 21 — 26	112	0 11 6¾	95	0 6 0¾
— 26 — 31	161	0 13 10¾	86	0 5 1¾
— 31 — 36	136	0 15 5	87	0 6 11¾
— 36 — 41	125	0 13 7¾	93	0 6 2
— 41 — 46	102	0 14 8¾	44	0 6 0¾
— 46 — 51	73	0 14 10	54	0 5 9
— 51 — 56	61	0 14 10¾	28	0 5 3¾
— 56 — 61	36	0 12 2	20	0 5 6
— 61 — 66	30	0 11 2	8	0 5 3¾
— 66 — 71	8	0 7 5¾	4	0 5 11
— 71 — 76	6	0 6 6	1	0 4 0
— 76 — 81				
— 81 — 86				
	1,871		826	

Aberdeen.

Age.	Number employed.	Average Weekly Wages.	Number employed.	Average Weekly Wages.
Below 11	6	0 2 6	11	0 3 4¾
From 11 to 16	68	0 4 11	195	0 3 7
— 16 — 21	27	0 7 9¾	183	0 5 1¾
— 21 — 26	32	0 14 5	96	0 5 7¾
— 26 — 31	31	0 14 10	61	0 5 5
— 31 — 36	24	0 16 6¾	19	0 5 4¾
— 36 — 41	33	0 14 10¾	14	0 5 6¾
— 41 — 46	19	0 13 9¾	3	0 5 0
From 46 to 51	21	0 15 1¾	10	0 5 3
— 51 — 56	13	0 15 2¾	8	0 4 11¾
— 56 — 61	18	0 12 4¾	5	0 4 4½
— 61 — 66	4	0 14 0		
— 66 — 71	5	0 10 1¾	1	0 4 6
— 71 — 76	3	0 11 4	2	0 3 3
— 76 — 81	1	0 12 0		
	305		608	

to London, where the same is vented and sold, and not seldom sent into forrain parts; who have meanes, at far easier terms, to provide themselves of the said first materials."—(Orig. ed., p. 32.) It is true, indeed, that mention is frequently made by previous writers, and in acts of the legislature, passed at a much earlier period*, of "Manchester cottons," "cotton velvets," "fustians," &c.; but it is certain, that these articles were *wholly composed of wool*, and had, most probably, been denominated cotton from their having been prepared in imitation of some of the cotton fabrics imported from India and Italy.

From the first introduction of the cotton manufacture into Great Britain, down to the comparatively late period of 1773, the weft, or transverse threads of the web, only were of cotton; the warp, or longitudinal threads, consisting wholly of linen yarn, principally imported from Germany and Ireland. In the first stage of the manufacture, the weavers, dispersed in cottages throughout

* In an act of 5 & 6 Edw. VI. (1552), entitled, "For the true making of *woollen* cloth," it is ordered, "*That all cottons called Manchester, Lancashire, and Cheshire cottons*, full wrought for sale, shall be in length," &c. This proves, incontestably, that what were then called cottons were made wholly of wool.

the country, furnished themselves as well as they could with the warp and weft for their webs, and carried them to market when they were finished; but about 1760 a new system was introduced. The Manchester merchants began, about that time, to send agents into the country, who employed weavers, whom they supplied with foreign or Irish linen yarn for warp, and with raw cotton; which, being carded and spun, by means of a common spindle or distaff, in the weaver's own family, was then used for weft. A system of domestic manufacture was thus established; the junior branches of the family being employed in the carding and spinning of the cotton, while its head was employed in weaving, or in converting the linen and cotton yarn into cloth. This system, by relieving the weaver from the necessity of providing himself with linen yarn for warp, and raw cotton for weft, and of seeking customers for his cloth when finished, and enabling him to prosecute his employment with greater regularity, was an obvious improvement on the system that had been previously followed; but it is at the same time clear, that the impossibility of making any considerable division among the different branches of a manufacture so conducted, or of prosecuting them on a large scale, added to the interruption given to the proper business of the weavers, by the necessity of attending to the cultivation of the patches of ground which they generally occupied, opposed invincible obstacles to its progress, so long as it was conducted in this mode.

The custom-house returns of the imports of raw cotton, and of the export of cotton goods, during the first half of last century, are very imperfect. The following account, furnished by authority to Mr. Baines, contains all the information that can be rendered by the customs officers on this subject.

Years.	Raw Cotton imported.	Official Value of British Cotton Goods exported.	Years.	Raw Cotton imported.	Official Value of British Cotton Goods exported.
	Lbs.	*£.*		*Lbs.*	*£.*
1697	1,976,359	5,915	1730	1,545,472	13,524
1701	1,985,868	23,253	1741	1,645,031	20,709
1710	715,008	5,698	1751	2,976,610	45,986
1720	1,972,805	16,200	1764	3,870,392	200,354

The following more detailed account of the import and export of cotton wool, during the 7 years ending with 1749, is taken from a paper laid before a committee of the House of Commons, on the linen manufacture, and printed in *Postlethwayte's Commercial Dictionary*, art. LINEN.

Years.	Cotton imported.	Cotton exported.	Cotton retained for Home Use.
	Lbs.	*Lbs.*	
1743	1,132,288	40,870	1,091,418
1744	1,882,873	182,765	1,700,108
1745	1,469,523	73,172	1,369,351
1746	2,264,868	73,279	2,191,529
1747	2,224,869	29,438	2,195,431
1748	4,855,966	291,717	4,561,249
1749	1,658,365	330,998	1,327,357

Postlethwayte's Dictionary was published in 1766; and the author estimated the then value of the different species of cotton goods produced in England at about 600,000*l.* a year. This, however, includes, in addition to the cotton, the value of the linen yarn used in the manufacture; and, when a reasonable deduction is made on account of the latter, the inconsiderable amount of the cotton trade, even at this late period, is sufficiently obvious.

Such was the depressed state of this manufacture at the commencement of

that wonderful career of invention and discovery, which has carried it to its present unexampled pitch of greatness and prosperity. The first, and perhaps also the most important, step in this career was made by James Hargraves, an illiterate but most ingenious mechanic; who invented the *spinning jenny*, in 1767. At first, this admirable machine enabled *eight* threads to be spun with the same facility as one; and it was subsequently brought to such perfection, that a little girl was able to work no fewer than from *eighty* to *one hundred and twenty* spindles!

The jenny was applicable only to the spinning of cotton for weft, being unable to give to the yarn that degree of firmness that is required in the longitudinal threads or warp; but this deficiency was soon after supplied by the introduction of the *spinning frame*, that wonderful piece of machinery, which spins a vast number of threads of the strength and hardness suitable for warps, leaving to man merely to feed the machine with cotton, and to join the threads when they happen to break. It is not difficult to understand the principle on which this machine is constructed, and the mode of its formation. "In every mode of spinning, the ends to be accomplished are, to draw out the loose fibres of cotton wool in a regular and continuous line; and, after reducing the fleecy roll to the requisite tenuity, to twist it into a thread. Previous to the operation of spinning, the cotton must have undergone the process of carding, the effect of which is to comb out, straighten, and lay parallel to each other its entangled fibres. The cotton was formerly stripped of the cards in loose rolls, called cardings, or *slivers*; and the only difference between the slivers produced by the old hand-cards, and those produced by the present carding-engine, is, that the former were in lengths of a few inches, and the latter are of the length of some hundred yards. Let it be remarked, that the sliver, or carding, requires to be drawn out to a considerably greater fineness, before it is of the proper thickness to be twisted into a thread. The way in which this is now accomplished is by two more pairs of small rollers, placed horizontally; the upper and lower roller of each pair revolving in contact. The sliver of cotton, being put between the first pair of rollers, is, by their revolution, drawn through and compressed; whilst, still passing through these rollers, it is caught by another pair of rollers, placed immediately in front, which revolve with three, four, or five times the velocity of the first pair, and which, therefore, draw out the sliver to three, four, or five times its former length and degree of fineness: after passing through the second pair of rollers, the reduced sliver is attached to a spindle and fly, the rapid revolutions of which twist it into a thread, and at the same time wind it upon a bobbin. That the rollers may take hold of the cotton, the lower roller is fluted longitudinally, and the upper is covered with leather.

"Such is the beautiful and admirable contrivance, by which a machine is made to do what was formerly, in all countries and ages, effected by the fingers of the spinner. It is obvious that, by lengthening or multiplying the rollers, and increasing the number of spindles, all of which may be turned by the same power, many threads may be spun at once, and the process may be carried on with much greater quickness and steadiness than hand-spinning. There is also the important advantage, that the thread produced will be of more regular thickness, and more evenly twisted."—(*Baines's History of the Cotton Manufacture*, p. 120.)

The invention of this wonderful piece of mechanism has been usually ascribed to Sir Richard Arkwright, who took out a patent for *spinning by rollers*, in 1769. But Mr. Baines has shown that the merit of being the original discoverer of this great invention is incontestably due to a Mr. John Wyatt, who took out, in the name of Mr. Lewis Paul, a foreigner, a patent, wherein the process of spinning by rollers is distinctly described, so early as 1738, or 31 years before Arkwright's patent. And it further appears that, in 1741 or 1742, Wyatt erected a mill at Birmingham, which was turned by two asses,

and attended by 10 girls. Some of the yarn spun by this mill is still in existence. Owing, however, to the imperfectness of the machinery, the want of skill, capital, or some other cause, this undertaking was speedily abandoned. The invention was soon after tried, on a larger scale, at Northampton, but with no better success.* It appears, from the special reference made to them in the case printed by Sir Richard Arkwright in 1786, that he was fully aware of these attempts to spin by machinery; but it is not known whether he was aware of the principle on which they proceeded, or had seen the patent referred to. Undoubtedly, however, the presumption seems to be that he had seen it; and, if so, he cannot be regarded as the inventor of the spinning frame. But, notwithstanding this deduction from his extraordinary merits, enough will still remain to justify the claims of Arkwright to the respect and gratitude of mankind. The machine he constructed, though in principle the same, differed materially in its form and make from that of Wyatt. In the hands of the latter, the invention, how ingenious soever, was of no practical utility; and all traces of it seem to have been lost. If Arkwright did not invent it a second time, he did what was equally important; he made it available in practice, and showed how it might be rendered the most prolific source of individual and public wealth.

Sir Richard Arkwright's patent was set aside in 1785, and since then the progress made in every department of the manufacture has been most rapid. The improvements made on the steam-engine by the genius of Watt relieved the spinners from the necessity under which they would, of course, have been placed of building factories in inconvenient situations, merely for the sake of waterfalls; and enabled them to raise them in the centre of an industrious population, where all the processes necessary in the manufacture might be brought together, and carried on, as it were, almost in the same workshop. The *mule jenny*, so called from its being a compound of the jenny and the spinning frame, was invented by Mr. Samuel Crompton, of Bolton, in 1775; but it did not come into general use till after the dissolution of Arkwright's patent. The yarn produced by the spinning frame, though well fitted for warp, was of too firm and hard a texture to render it available for weft, which was in consequence mostly spun upon Hargraves' jenny. But the introduction of the mule almost entirely superseded the latter, and forms an important era in the history of the cotton manufacture. All sorts of wefts, from the lowest to the highest numbers, are now spun by means of this machine; and, as a specimen of the perfection to which spinning by it was speedily carried, we may mention that Mr. John Pollard, of Manchester, spun in 1792, on the mule, no fewer than 278 hanks of yarn, forming a thread of 233,520 yards, or upwards of 132 miles, in length, from a single pound of raw cotton; and since then as many as 350 hanks, forming a continuous thread of 167 miles in length, have been obtained from a pound of cotton.

Mr. Crompton did not take out any patent for his invention, which, indeed, he only perfected by slow degrees. In 1812, he was advised to apply to parliament for a reward. His claim being entertained, a committee of the House of Commons was appointed to investigate the matter, before which evidence was brought to prove that upwards of *four millions* of spindles were employed on Mr. Crompton's principle; that two thirds of the steam-engines for spinning cotton turned mules; and that the value of the buildings, machinery, &c., employed on the same principle, amounted to from 3,000,000*l.* to 4,000,000*l.* It is painful to have to add that, notwithstanding this conclusive evidence as to the great utility and importance of his invention, the House of Commons voted Mr. Crompton the paltry sum of 5,000*l.*; a pittance hardly adequate to defray the expenses of the application!

* Letter by Mr. Charles Wyatt, son of the inventor, in *Baines's Cotton Manufacture*, p. 134.

At first the mule carried only 144 spindles; but by successive improvements it was rendered capable, about a dozen years ago, of working 300 or 400 spindles. Its maximum capability was far, however, from being yet attained; and several mules are now at work in Manchester, and other places, carrying the extraordinary number of from 700 to 800 spindles, and a few as many as 1,100 spindles.

Various attempts have been made at different periods, by Mr. Kelly and others, to work the mule solely by machinery, without the aid of manual labour. But none of the contrivances for that purpose were altogether successful, till the *self-acting mule* of Messrs. Sharpe and Roberts, of Manchester, came recently into the field. The machinery is so constructed as to roll the spindle carriage out and in at the proper speed, without a hand touching it; the only manual labour employed in these machines being that of the children, who join the broken threads. The machine seems to have come very near perfection, producing a considerably greater quantity of yarn, of a more uniform twist, and less liable to break, than mules wrought by the hand; at the same time that it has the important advantage of rendering the mill owners independent of the combinations and strikes of the working spinners. Mr. Baines mentions that the patentees informed him, in March, 1834, that they had then made 520 self-acting mules, containing upwards of 280,000 spindles, and that that number was likely to be more than doubled in the course of the year. — (*History of Cotton Manufacture*, p. 207.)

Besides these leading inventions, there have been many of inferior, indeed, but still of very great, importance. In consequence of the combined influence of the whole, and of the gradually increasing skill and dexterity of the workman, the art of spinning has been carried to a degree of perfection that, in 1760, could not have been believed attainable even by the most sanguine and visionary of projectors.

But to complete the manufacture, it was necessary to improve and perfect the art of weaving as well as of spinning; and this, also, has been done. The *power-loom*, invented by the Rev. Dr. Cartwright, a clergyman of Kent, has done for weaving what the invention of Arkwright did for spinning. Dr. Cartwright states, in a very interesting letter, addressed to Mr. Bannatyne, of Glasgow, that the idea of constructing a power-loom was excited in his mind by being in company with some Manchester gentlemen, at Matlock, in 1784, who remarked that so many cotton mills would be erected, and so much yarn spun, that it would be impossible to procure hands to weave it. Dr. Cartwright replied that, in that case, Mr. Arkwright must set his wits to work to invent a weaving-mill. The Manchester gentlemen all declared that that was impracticable; but Dr. Cartwright denied that there could be any greater difficulty in inventing a machine to weave cotton than to spin it; and, meditating afterwards on the subject of this conversation, he succeeded in constructing a loom, all the movements of which were performed by means of machinery! Dr. Cartwright took out a patent for his invention in 1787; and subsequently received 10,000*l.* as a reward from government.

The progress of power-loom weaving was not, at first, so rapid as might have been expected: this arose partly from the imperfections that attached originally to the machine, but chiefly from the circumstance of its being necessary to dress the webs, from to time, after they were put into the looms, which made it impossible for one person to do more than attend to one loom. But a beautiful machine, invented by Mr. Thomas Johnson, of Bradbury, for warping and dressing the yarn used as warps, has completely obviated this difficulty; and at this moment a boy or girl, of from 12 to 14 years of age, can with ease attend to two power-looms, and can, by their means, produce three and half or four times as much cloth as could be produced by the best hand-loom weaver.

"The best hand weavers seldom produce a piece of uniform evenness; in-

deed, it is next to impossible for them to do so, because a weaker or stronger blow with the lathe immediately alters the thickness of the cloth; and, after an interruption of some hours, the most experienced weaver finds it difficult to recommence with a blow of precisely the same force as the one with which he left off. In power-looms the lathe gives a steady certain blow; and, when once regulated by the engineer, moves with the greatest precision from the beginning to the end of the piece. Cloth made by these looms, when seen by the manufacturers who employ hand weavers, at once excites admiration, and a consciousness that their own workmen cannot equal it." — (*Baines's Cotton Manufacture*, p. 240.)

Arkwright's spinning frame is not confined to the spinning of cotton; but is now employed, with nearly equal success, in the woollen, the worsted, and the flax manufacture: it is the same with the power-loom. Hitherto, indeed, it has been principally employed in the manufacture of cotton goods, particularly of calicos and fustians. But it is well adapted for weaving all sorts of plain silk, linen, woollen, and worsted goods; and it is now beginning to be largely introduced into most of these departments. At present there are, probably, not fewer than from 110,000 to 120,000 power-looms at work in Great Britain, of which England may possess from 85,000 to 95,000.

Such is a hasty, and necessarily very imperfect, sketch of the leading steps in the astonishing progress of the British cotton manufacture. At present it is by far the most wonderful triumph of mechanical genius and invention that the world has ever seen. "The operations, says Mr. Baines, "are numerous, and every one of them is performed by machinery, without the help of human hands, except merely in transferring the material from one machine to another. It is by iron fingers, teeth, and wheels, moving with exhaustless energy and devouring speed, that the cotton is opened, cleaned, spread, carded, drawn, roved, spun, wound, warped, dressed, and woven. The various machines are proportioned to each other in regard to the capability of their work, and they are so placed in the mill as to allow the material to be carried from stage to stage with the least possible loss of time. All are moving at once, the operations chasing each other; and all derive their motion from the mighty engine, which, firmly seated in the lower part of the building, and constantly fed with water and fuel, toils through the day with the strength of perhaps a hundred horses. Men, in the meanwhile, have merely to attend on this wonderful series of mechanism, to supply it with work, to oil its joints, and to check its slight and infrequent irregularities; each workman performing, or rather superintending, as much work as could have been done by 200 or 300 men 60 years ago.* At the approach of darkness, the building is illuminated

* Mr. Kennedy stated, in 1815, since which time many improvements have been made, that the united effects of the spinning machines amounted to this, that the labour of one person, aided by them, can now produce as much yarn, in a given time, as 200 could have produced 50 years ago. — (*Rise and Progress of the Cotton Trade.*) Mr. Farey, in his *Treatise on the Steam Engine*, says — An extensive cotton mill is a striking instance of the application of the greatest powers to perform a prodigious quantity of light and easy work. A steam engine of 100 horse power, which has the strength of 880 men, give a rapid motion to 50,000 spindles, for spinning fine cotton thread; each spindle forms a separate thread, and the whole number work together, in an immense building erected on purpose, and so adapted to receive the machines that no room is lost. Seven hundred and fifty people are sufficient to attend all the operations of such a cotton mill; and, by the assistance of the steam engine, they will be enabled to spin as much thread as 200,000 persons could do without machinery, or one person can supply it with fuel. Each spindle in a mill will produce between two and a half and three hanks (of 840 yards each) per day, which is upwards of a mile and a quarter of thread in 12 hours; so that the 50,000 spindles will produce 62,500 miles of thread every day of 12 hours, which is more than a sufficient length to go two and a half times round the globe.

by jets of flame, whose brilliance mimics the light of day — the produce of an invisible vapour, generated on the spot. When it is remembered that all these inventions have been made within the last 70 years, it must be acknowledged that the cotton mill presents the most striking example of the dominion obtained by human science over the powers of nature of which modern times can boast. That this vast aggregate of important discoveries and inventions should, with scarcely an exception, have proceeded from English genius, must be a reflection highly satisfactory to every Englishman." — (*Cotton Manufacture*, p. 243.)

The following table, exhibiting the imports, exports, &c., of cotton wool since 1697, sets the wonderful progress of the manufacture in the clearest point of view: —

Account of the Imports and Exports of Cotton Wool into and from Great Britain since 1697.

Years.	Imports.	Exports.	Years.	Imports.	Exports.
1697	1,976,359	——	1794	24,358,567	1,349,950
1701	1,985,868	——	1795	26,401,340	1,193,737
1700 to 1705			1796	32,126,357	694,962
(Average)	1,170,881	——	1797	23,354,371	609,058
1710	715,008	——	1798	31,880,641	601,139
1720	1,972,805	——	1799	43,379,278	844,671
1730	1,545,472	——	1800	56,010,732	4,416,610
1741	1,645,031	——	1801	56,004,305	1,860,872
1751	2,976,610	——	1802	60,345,600	3,730,180
1764	3,870,392	——	1803	53,812,284	1,561,053
1771 to 1775			1804	61,867,329	503,171
(Average)	4,764,589	——	1805	59,682,406	804,243
1776 to 1780			1806	58,176,283	651,867
(Average)	6,766,613	——	1807	74,925,306	2,176,283
1781	5,198,778	96,788	1808	43,605,982	1,644,867
1782	11,828,039	421,229	1809	92,812,282	4,351,105
1783	9,735,663	177,626	1810	132,488,935	8,787,109
1784	11,482,083	201,845	1811	91,576,535	1,266,867
1785	18,400,384	407,496	1812	63,025,936	1,440,912
1786	19,475,020	323,153	1813	50,966,000	——
1787	23,250,268	1,073,381	1814	60,060,239	6,282,437
1788	20,467,436	853,146	1815	99,306,343	6,780,392
1789	32,576,023	297,837	1816	93,920,055	7,105,054
1790	31,447,605	844,154	1817	124,912,968	8,155,442
1791	28,706,675	363,442	1818	177,282,158	15,159,453
1792	34,907,497	1,485,465	1819	149,739,820	16,622,969
1793	19,040,929	1,171,566			

Sources whence the Supplies of Cotton Wool are derived. — Previously to 1795 our supplies of raw cotton were principally brought from the West Indies, South America, India, and the Levant. The United States, which, for many years past, has been the grand cotton mart, producing more for exportation than all the other countries of the world taken together, was then only beginning to come into the field. A little cotton had, indeed, been raised for domestic use, in the Southern States, previously to the revolutionary war; but its produce was quite inconsiderable. In 1791 it began, for the first time, to be exported, the trifling quantity of 189,316lbs. having been shipped in the course of that year, and 138,328lbs. in 1792. Such was the late and feeble beginning of the American cotton trade! There is nothing in the history of industry to compare with its subsequent progress and extension, unless it be the growth of the manufacture in this country.

Cotton Wool Imported, Exported, and entered for Consumption, from 1820 to 1834.

Years.	Quantity Imported.	Quantity Exported.	Quantity entered for Consumption.
	lbs.	*lbs.*	*lbs.*
1820	151,672,655	6,024,038	152,829,633
1821	132,536,620	14,589,497	137,401,549
1822	142,837,628	18,267,776	143,428,127
1823	191,402,503	9,318,402	186,311,070
1824	149,380,122	13,299,505	141,038,743
1825	228,005,291	18,004,953	202,546,869
1826	177,607,401	24,474,920	162,889,012
1827	272,448,909	18,134,170	249,804,396
1828	227,760,642	17,396,776	208,987,744
1829	222,767,411	30,289,115	204,097,037
1830	263,961,452	8,534,976	269,616,640
1831	288,674,853	22,308,555	273,249,653
1832	286,832,525	18,027,940	259,421,463
1833	305,656,837	17,363,882	293,682,976
1834	326,875,425	24,461,963	302,935,657

American cotton is generally known by the names of *sea island* and *upland*. The former grows along the low sandy shores of Carolina, Georgia, &c. It is long in the staple, has an even silky texture, a yellowish tinge, is easily separated from the seed, and is decidedly superior to every other description of cotton hitherto brought to market. Unluckily, however, it can be raised only in certain situations; so that its quantity is limited, and has not, in fact, been at all increased since 1805. At present 97 or 98 per cent. of the cotton produced in the United States consists of what is denominated upland, from its being grown on the comparatively high ground at a distance from the coast. Though of varying qualities, it is all short-stapled; and its separation from the seed and pod, if attempted by the hand, is so very difficult that the cotton is hardly worth the trouble and expense. This, however, was the only way in which it could be made available for home use or exportation in 1791; and, had any one then ventured to predict that 10,000,000 lbs. of upland cotton would ever be exported, he would have been looked upon as a visionary dreamer. But the genius and talent of Mr. Eli Whitney did for the cotton planters of the United States what Arkwright did for the manufacturers of England. He invented a machine, by which the cotton wool is separated from the pod and cleaned with the greatest ease and expedition; and, in this way, doubled the wealth and industry of his countrymen. — (*Pitkin's Statistics of the United States*, p. 109. ed. 1835.) Mr. Whitney's invention came into operation in 1793; and in 1794 1,601,760 lbs., and in 1795 5,276,300 lbs. of cotton were exported! The effect of the machine was, like that of Arkwright's, all but miraculous. The exports of cotton from America, during the year ended 30th of September, 1834, amounted to the enormous sum of 384,717,907 lbs.; worth, when shipped, 49,448,402 dollars.* And it is not going too far to say, that had not Whitney's, or some equivalent machine been invented, there is no reason to think that the exports during the above year would have exceeded 34,000,000 lbs., if so much; so that the existence of the other 350,000,000 lbs., with the greater part of that retained for home consumption, may be ascribed to Mr. Whitney's machine, as to its real source and origin! †

* *Papers laid before Congress*, 3d March, 1835.

† Like too many inventors, Mr. Whitney enriched others without materially enriching himself. South Carolina gave him 50,000 dollars for liberty to use the machine, and he received smaller sums from North Carolina and Tennessee. But

Whitney, Arkwright, and Watt, were all necessary to each other. Without an adequate supply of cotton, Arkwright's inventions would have been comparatively unimportant; without the demand for the raw material, which they occasioned, Whitney's machine would have been but little employed; and without the invention of Watt, neither that of Arkwright nor of Whitney could have been brought into full play. So true it is that *omnes artes quæ ad humanitatem pertinent, habent quoddam commune vinculum, et quasi cognatione quadam inter se continentur.* It would be curious to investigate how many persons in the Old and New Worlds, at present, directly depend for subsistence on the inventions of these three individuals. They certainly amount to several millions; at the same time that they have made immense additions to the comforts and enjoyments of almost every one else.

Next to the United States, but at a very great distance from them, Brazil, the East Indies, and Egypt, are the countries which furnish the largest supplies of cotton for exportation. We subjoin an

Account of the Quantity of Cotton Wool imported into Great Britain and Ireland during each of the Six Years ending with 1834; specifying the Countries whence it was imported, and the Quantity brought from each; showing also the Quantities exported, and those left for Consumption.

Countries.	1829.	1830.	1831.	1832.	1833.	1834.
	lbs.	lbs.	lbs.	lbs.	lbs.	lbs.
Germany	-	69,296	-	116,297	3,909	7,296
Holland	7	7,839	-	430		
Belgium	3	-	-	-	-	81,497
France	27,893	85,967	-	59,050	943,581	5,521
Portugal, Proper	-	3,584	110			
Azores	-	-	-	-	-	1,792
Spain & the Balearic Islands	1,928					
Gibraltar	-	15	35,640	21,739	15,708	826,468
Italy and the Italian Islands	61,284	27,073	843,895	28,063	17,298	
Malta						
Turkey and Continental Greece (exclusive of the Morea)	91,905	353,077	366,550	289,779	433,898	410,730
Egypt (Ports on the Mediterranean)	5,894,480	3,048,633	7,714,474	8,824,111	553,364	444,137
Western Coast of Africa	-	-	-	-	-	4,203
Cape of Good Hope	-	-	-	-	38	39,714
Mauritius	50,599	14,056				
East India Company's Territories and Ceylon	24,857,800	12,481,761	25,805,153	35,178,625	32,755,164	32,920,865
Sumatra and Java	-	-	-	-	-	3,866
Philippine Islands	16,011	29,672	8,420	40,879	37,908	
New South Wales, Van Diemen's Land, and Swan River	-	479				
New Zealand, and South Sea Islands	-	-	-	5		
British North American Colonies	32,419	2,473	316,016	7,158	145,526	3,332
British West Indies	4,610,414	3,429,247	2,401,685	2,010,428	2,081,862	2,296,525
Hayti	149,048	166,266	251,179	59,413	389,791	225,004
Cuba and other Foreign West Indies	128,896	10,174	-	314	-	3,794
United States of America	157,187,396	210,835,358	219,333,628	219,756,753	237,506,758	269,203,075
Mexico	-	-	-	1,396	-	23,471
Guatemala	-	-	-	-	-	1,001,810
Columbia	679,564	221,381	334,691	293,602	305,033	15,291,596
Brazil	28,878,586	35,092,072	31,695,761	20,109,560	28,163,821	5,456
States of the Rio de la Plata	-	-	-	3,729	382	74,701
Chili	-	-	10,624	-	56	4,053
Peru	69,378	45,629	57,027	1,194	-	
Isles of Guernsey, Jersey, Alderney, and Man	-	-	-	-	-	296
Total	222,767,411	263,961,452	288,674,853	286,832,525	303,656,837	326,875,125
Exports	30,289,115	8,534,976	22,508,555	18,027,940	17,363,882	24,461,963
Left for consumption	192,478,296	255,426,476	266,366,298	268,804,585	286,292,955	302,413,462

Georgia, which was signally benefited by the invention, piratically invaded his patent; and, before he succeeded in establishing his rights in the Supreme Court of the United States, 13 years of his patent had expired, and he had expended a large portion of the sums paid him by the other States. In 1812, after the vast importance of his invention had been recognised in all parts of the Union and of the world, Mr. Whitney petitioned Congress for a renewal of his patent, or for some indemnity for the losses he had sustained by its invasion. But, notwithstanding a Committee of Congress made a strong report in his favour, the thing fell to the ground; and Mr. Whitney died without having gained any thing by an invention by which his countrymen have already realised a clear profit of 200,000,000*l.* sterling. —(*Pitkin's Statistics*, p. 110.)

Notwithstanding the vastly increased demand for cotton wool during the last 20 years, the supply, contrary to what some had anticipated, has increased in a more than equal proportion; and there has, in consequence, been a material reduction of price. Subjoined is an

Account of the Prices of *good* Upland, or, as it is frequently called, bowed Georgia Cotton, in the Liverpool Market since 1806: —

Years.	s.	d.		s.	d.		Years.	s.	d.		s.	d.	
1806	1	3	to	1	9½	per lb.	1821	0	7	to	0	11½	per lb.
1807	1	3½	-	1	7	—	1822	0	5¾	-	0	11	—
1808	1	3¼	-	3	0	—	1823	0	6¼	-	0	10¾	—
1809	1	2	-	2	10	—	1824	0	7	-	0	10½	—
1810	1	2½	-	1	10½	—	1825	0	6	-	1	7½	—
1811	1	0¼	-	1	4	—	1826	0	5¼	-	0	8¾	—
1812	1	1	-	1	11½	—	1827	0	4⅞	-	0	7¾	—
1813	1	9	-	2	6	—	1828	0	5	-	0	7⅞	—
1814	1	11	-	3	1	—	1829	0	4⅝	-	0	7	—
1815	1	6	-	2	1½	—	1830	0	5⅛	-	0	7⅞	—
1816	1	3	-	1	9	—	1831	0	4¾	-	0	7¼	—
1817	1	4¼	-	1	11¼	—	1832	0	5	-	0	8	—
1818	1	4½	-	1	10	—	1833	0	6½	-	1	0½	—
1819	0	10	-	1	7¾	—	1834	0	8¾	-	0	10¾	—
1820	0	8	-	1	1¾	—	1835	0	7½	-	0	10¼	—

Fall in the Price of Cotton Goods. — In consequence partly of this reduction in the cost of the raw material, but in an incomparably greater degree of the wonderful improvements in the manufacture, the price of cotton goods has undergone an extraordinary fall since 1780, and even since 1810. They are now, indeed, so extremely cheap, that there is hardly an individual so very poor as to be unable to supply himself abundantly with cottons. This has improved the dress and appearance, and added to the comfort of the great bulk of the female part of the population, not merely of this, but also of other countries, in a degree and to an extent not easy to be imagined.

Cost and Selling Price of One Piece of Calico, from 1814 to 1833.

Years.	Price of One Piece in Warp.		Price of One Piece in Weft.		Expense of Sizing, &c.	Cost Price of One Piece; first Seven Years being Second Quality 74's, rest Third 74's.			Average Prices sold for in Manchester through the Year.		
	s.	d.	s.	d.	d.	£	s.	d.	£	s.	d.
1814	9	5	7	5½	6	1	3	10½	1	4	7
1815	7	10¼	6	3	—	0	18	10½	0	19	8¾
1816	7	0½	5	5¼	—	0	16	4¼	0	16	8½
1817	6	6¾	5	2	—	0	15	3	0	16	1
1818	6	9	5	4½	—	0	16	2½	0	16	8½
1819	5	3¼	4	2	—	0	13	0¼	0	13	9
1820	4	2¼	3	6	—	0	11	1½	0	12	1½
1821	3	9¾	2	6	5	0	9	10½	0	9	8¼
1822	3	8¼	2	3	—	0	8	11	0	9	3½
1923	3	8¾	2	2½	—	0	8	8¼	0	8	11¼
1824	3	8¼	2	2½	—	0	8	5¼	0	8	5¾
1825	3	4	2	2	—	0	8	0½	0	8	5¼
1826	2	8	1	10	—	0	6	2¾	0	6	3¼
1827	2	6½	1	9½	—	0	6	3¼	0	6	6
1828	2	8	1	9	—	0	6	4½	0	6	5¼
1829	2	8	1	9	—	0	5	11	0	5	8
1830	2	9	1	10	—	0	6	5¼	0	6	3¼
1831	2	3½	1	9½	—	0	6	0¾	0	6	2¼
1832	2	4	1	9	—	0	5	8¾	0	5	8
1833	2	5	1	9¼	—	0	5	10¾	0	6	2

Account of the Price of Cotton Yarn No. 100, from 1786 to 1832: —

	£	s.	d.
In 1786, Yarn, No. 100, sold for	1	18	0
1787 — —	1	18	0
1788 — —	1	15	0
1789 — —	1	14	0
1790 — —	1	10	0
1791 — —	1	9	9
1792 — —	0	16	1
1793 — —	0	15	1
1794 — —	0	15	1
1795, spun from Bourbon cot.	0	19	0
1796 ditto	0	19	0
1797 — —	0	19	0
1798, from Sea Island cotton	0	9	10
In 1799, Yarn, No. 100, sold for	0	10	11
1800 — —	0	9	5
1801 — —	0	8	9
1802 — —	0	8	4
1803 — —	0	8	4
1804 — —	0	7	10
1805 — —	0	7	10
1806 — —	0	7	2
1807 — —	0	6	9
After many fluctuations,			
In 1829, it sold for - -	0	3	2
1832 — —	0	2	11

Export of Cotton Goods. — Down to 1750, the exports of cotton goods, or rather of goods consisting partially of cotton, were so very inconsiderable that they hardly attracted the least attention from any of our commercial writers. But, after the inventions of Arkwright began to come into general operation, the exports increased with unprecedented rapidity. At the commencement of the present century they were nearly as large as the export of woollens, the produce of the old and staple manufacture of the country. But, though the export of woollen goods has increased considerably since 1800, that of cotton goods and yarn has increased so much more that it is now about *three* times the amount of the other; and *constitutes, indeed, about a half of the total exports of the empire!*

Account of the Official Value of the Cotton Manufactures exported from Great Britain, from 1697 to 1797.

Years.	Official Value of Exports.	Years.	Official Value of Exports.
	£		£
1697	5,915	1786	915,046
1701	23,253	1787	1,101,457
1710	5,698	1788	1,252,240
1720	16,200	1789	1,231,537
1730	13,524	1790	1,662,369
1741	20,709	1791	1,875,046
1751	45,986	1792	2,024,368
1764	200,354	1793	1,733,807
1765	248,348	1794	2,376,077
1766	220,759	1795	2,433,331
1780	355,060	1796	3,214,020
1785	864,710	1797	2,580,568

For other Accounts of Exports, see the next and following pages.

Present Value of the Cotton Manufacture. — Amount of Capital and Number of Persons employed in it. — It would be very desirable to have some accurate information with respect to these particulars. But the data on which all estimates of this sort are founded being necessarily very imperfect, it is impossible to arrive at any thing like precision. We gave in the second edition of our Commercial Dictionary, published in 1834, the following details, which have reference to the state of the manufacture in 1833.

" Mr. Huskisson stated in his place in the House of Commons, in March, 1824, that he believed the total value of the cotton goods then annually manufactured in Great Britain amounted to the prodigious sum of *thirty-three and a half millions;* and we believe we shall be about the mark, if we estimate

Account of the Official and of the Declared or real Value of the Cotton Manufactures and Yarn exported from Great Britain since 1798.

Years.	Manufactured Goods.		Twist and Yarn.		Total Exports.	
	Official Value.	Declared Value.	Official Value.	Declared Value.	Official Value.	Declared Value.
	£	£	£	£	£	
1798	3,572,217		30,271		3,602,488	
1799	5,593,407		204,602		5,808,009	
1800	5,406,501		447,556		5,854,057	
1801	6,606,368		444,441		7,050,809	
1802	7,195,900		428,605		7,624,505	
1803	6,442,037		639,404		7,081,441	
1804	7,834,564		902,208		8,746,772	
1805	8,619,990		914,475		9,534,465	
1806	9,753,824		736,225		10,489,049	
1807	9,708,046		601,719		10,309,765	
1808	12,503,918		472,078		12,986,096	
1809	18,425,614		1,020,352		19,445,966	
1810	17,898,519		1,053,475		18,951,994	
1811	11,529,551		483,598		12,013,149	
1812	15,723,225		794,465		16,517,690	
1813	Records	destroyed.				
1814	16,535,528	17,241,884	1,119,850	2,791,248	17,655,378	20,033,132
1815	21,480,792	18,946,835	808,853	1,674,021	22,289,645	20,620,956
1816	16,183,975	12,948,944	1,380,486	2,628,448	17,564,461	15,577,392
1817	20,133,966	13,997,820	1,125,258	2,014,181	21,259,224	16,012,001
1818	21,292,354	16,372,212	1,296,776	2,395,305	22,589,130	18,767,517
1819	16,696,539	12,180,129	1,585,753	2,519,783	18,282,292	14,699,912
1820	20,509,926	13,690,115	2,022,153	2,826,643	22,531,079	16,516,758
1821	21,642,936	13,788,977	1,898,679	2,305,830	23,541,615	16,094,807
1822	24,559,272	14,521,211	2,351,771	2,697,590	26,911,043	17,218,801
1823	24,119,359	13,650,896	2,425,411	2,625,947	26,544,770	16,276,843
1824	27,171,556	15,241,119	2,984,345	3,135,396	30,155,901	18,376,515
1825	26,597,575	15,046,902	2,897,706	3,206,729	29,495,281	18,253,631
1826	21,445,743	10,522,407	3,748,527	3,491,268	25,194,270	14,013,675
1827	29,203,138	13,956,826	3,979,760	3,545,568	33,182,898	17,502,394
1828	28,981,575	13,545,188	4,485,842	3,594,926	33,467,417	17,140,114
1829	31,810,474	13,420,536	5,458,958	3,974,039	37,269,432	17,394,575
1830	35,395,400	15,203,713	5,655,569	4,132,258	41,050,969	19,335,971
1831	33,682,475	13,207,947	5,674,600	3,974,989	39,357,075	17,182,936
1832	37,060,750	12,622,880	6,725,505	4,721,796	43,786,255	17,344,676
1833	40,058,153	13,754,992	6,279,057	4,704,008	46,337,210	18,459,000
1834	44,266,903	15,302,571	6,802,238	5,211,015	51,069,141	20,513,586

their present value at *thirty-four* millions! If, indeed, we took the increase in the imports of the raw material as a test of the increase in the value of the manufacture, we should estimate it a great deal higher. But the improvements that have been made in the different processes, and the fall in the prices of raw cotton, have had so powerful an influence in reducing the price of the goods brought to market, that, notwithstanding the increase of their quantity, their total value must have remained nearly constant.

"The average annual quantity of cotton wool imported, after deducting the exports, may be taken at about 260,000,000 lbs. weight. It is supposed that of this quantity about 20,000,000 lbs. are used in a raw or half manufactured state, leaving a balance of 240,000,000 lbs. for the purposes of manufacturing, the cost of which may be taken, at an average, at *7d.* per lb. Deducting, therefore, from the total value of the manufactured goods, or 34,000,000*l.*, the value of the raw material, amounting to 7,000,000*l.*, there

Account of the Exports of Cotton Goods and Yarn in 1833 and 1834; specifying the Quantity and Value of those sent to each Country. — (*Papers published by Board of Trade*, vol. iv. p. 197.)

Countries to which exported.	1833.					1834.				
	Entered by the Yard.		Hosiery, Lace, and Small Wares.	Cotton Twist and Yarn.		Entered by the Yard.		Hosiery, Lace, and Small Wares.	Cotton Twist and Yarn.	
	Quantities.	Declared Value.	Declared Value.	Quantities.	Declared Value.	Quantities.	Declared Value.	Declared Value.	Quantities.	Declared Value.
	Yards.	*L.*	*L.*	*lbs.*	*L.*	*Yards.*	*L.*	*L.*	*lbs.*	*L.*
Russia	2,656,997	98,649	9,036	19,311,877	1,164,996	1,779,856	66,516	4,212	16,241,363	1,037,533
Sweden	31,173	1,029	591	557,595	31,711	52,090	1,605	590	499,550	30,013
Norway	481,474	13,157	1,996	55,762	2,893	567,531	14,692	1,925	62,123	3,525
Denmark	299,876	6,055	779	16,814	1,092	326,520	6,362	227	23,650	1,317
Prussia	-	-	6	21,007	1,092	4,608	220	199	21,312	2,011
Germany	49,534,158	1,188,531	252,315	25,653,901	1,598,467	50,627,198	1,293,617	207,105	26,492,890	1,793,158
Holland	20,610,619	491,778	46,770	11,242,705	971,719	21,189,927	549,084	49,718	13,081,809	1,129,337
Belgium	3,422,579	128,457	251,648	105,558	11,829	4,189,466	155,921	170,012	65,514	8,099
France	1,544,075	46,247	36,320	98,193	10,212	2,317,607	60,774	67,383	101,908	22,567
Portugal, Proper	25,278,064	540,842	18,409	50,062	3,366	42,001,094	899,362	19,895	241,937	19,955
Azores	1,228,931	24,751	776	13,566	626	1,361,159	30,661	914	30,612	1,112
Madeira	621,687	12,619	686	56	4	573,181	12,284	442	89	7
Spain and the Balearic Islands	328,263	9,288	1,218	2,550	447	456,670	12,184	1,053	2,616	359
Canary Islands	637,585	15,602	853	625	91	748,649	18,765	581	850	66
Gibraltar	9,405,461	216,439	5,091	10,920	910	13,130,134	312,729	7,927	12,909	1,071
Italy and the Italian Islands	37,672,152	1,088,073	40,756	6,956,453	376,835	60,683,663	1,563,243	52,814	9,888,968	513,509
Malta	2,258,974	67,887	935	136,330	6,910	4,560,503	122,156	1,821	531,810	28,857
Ionian Islands	233,692	5,504	368	54,440	2,955	1,747,855	36,313	958	129,622	8,555
Turkey and Continental Greece (exclusive of the Morea)	30,237,127	750,604	2,089	1,767,731	90,052	28,621,490	828,245	3,546	1,989,851	109,735
Morea and Greek Islands	316,897	12,511	345	-	-	460,984	17,493	870	1,581	140
Egypt (Ports on the Mediterranean)	2,682,203	54,743	10	177,850	11,028	3,929,444	95,874	296	531,714	29,500
Tripoli, Barbary, and Morocco	1,465	80	140	-	-	590,362	9,992	793		
Western Coast of Africa	4,964,666	118,872	386	690	107	4,975,433	129,584	607	570	190
Cape of Good Hope	4,536,727	115,567	9,852	1,164	80	4,006,311	100,328	9,527	2,370	174
St. Helena	87,579	2,018	328	-	-	110,372	3,124	321	36	2
Isle of Bourbon	-	-	-	-	-	98,210	1,991	36		
Mauritius	794,562	22,582	3,524	-	-	2,496,315	70,453	6,671	340	34
East India Company's territories and Ceylon	45,755,910	1,152,486	21,153	4,783,794	324,353	38,972,059 6,381,018	943,501 152,395	15,717 10,503	4,267,653 952,410	315,583 56,839
China	-	-	-	-	-	-	-	-	-	-
Sumatra and Java	11,091,558	316,264	1,813	247,150	15,446	10,118,790	290,901	1,863	328,970	17,445
Philippine Islands	2,812,719	87,807	455	7,600	570	1,791,438	54,053	1,146	20,300	1,115
New South Wales, Van Diemen's Land, and Swan River	1,828,859	55,428	7,655	34,960	593	3,721,420	101,791	11,581	11,433	652
Ports of Siam	-	-	-	-	-	519,025	11,416	36	22,000	1,365
British North American Colonies	14,240,060	339,143	29,344	216,806	9,915	10,225,192	263,291	20,357	194,692	6,458
British West Indies	27,507,930	661,340	43,166	5,640	590	30,246,315	728,756	40,584	5,584	455
Hayti	7,224,510	219,985	6,367	1,000	110	7,166,854	212,587	5,936	4,300	505
Cuba and other Foreign West Indies	12,889,249	323,338	9,465	540	34	21,174,586	511,887	13,424	10	1
United States of America	45,141,989	1,335,957	340,835	112,575	6,255	45,630,862	1,394,057	277,652	107,443	6,693
Mexico	5,745,446	201,428	46,527	968,720	53,494	6,825,961	251,177	7,879	463,516	27,561
Guatemala	53,121	1,800	-	11,000	765	870,001	25,797	111	23,155	1,775
Columbia	3,210,761	66,743	3,312	-	-	5,515,157	111,022	3,268	35,000	2,153
Brazil	68,903,398	1,607,735	59,848	14,454	1,073	65,424,332	1,427,029	58,555	57,730	3,785
States of the Rio de la Plata	12,731,734	280,292	23,311	300	26	20,942,118	449,831	33,313	9,248	446
Chili	20,191,482	490,305	28,846	4,220	430	23,474,954	606,054	20,814	5,689	560
Peru	6,819,029	195,496	12,403	1,000	90	4,501,492	127,328	8,760		
Isles of Guernsey, Jersey, Alderney, and Man	687,302	45,329	41,683	5,471	2,067	896,040	49,051	33,255	6,192	961
Totals	496,352,096	12,451,060	1,331,317	70,626,161	4,704,024	555,705,809	14,127,352	1,175,219	76,478,168	5,211,015

remains 27,000,000*l.*; which, of course, forms the fund whence the wages of the persons employed in the various departments of the manufacture, the profits of the capitalists, the sums required to repair the wear and tear of buildings, machinery, &c., the expense of coals, &c. &c., must all be derived. If, then, we had any means of ascertaining how this fund is distributed, we should be able, by taking the average of wages and profits, to form a pretty accurate estimate of the number of labourers, and the quantity of capital employed. But here, unfortunately, we have only probabilities and analogies to guide us. It may, however, be confidently assumed, in the first place, that in consequence of the extensive employment of highly valuable machinery in all departments of the cotton manufacture, the proportion which

the profits of capital, and the sum to be set aside to replace its wear and tear, bear to the whole value of the manufacture, must be much larger than in any other department of industry. We have heard this proportion variously estimated, at from a fourth to a half of the total value of the manufactured goods, exclusive of the raw material; and as the weight of authority seems to be pretty much divided on the subject, we shall take an intermediate proportion. Assuming, therefore, that the profits of the capital employed in the cotton manufacture, the wages of superintendence, &c., the sum required to replace the wear and tear of machinery and buildings, and to furnish coals, &c., amount together to *one-third* of the value of the manufactured goods, exclusive of the raw material, or to 9,000,000*l.*, a sum of 18,000,000*l.* will remain as the wages of the spinners, weavers, bleachers, &c., engaged in the manufacture; and taking, inasmuch as a large proportion of children under 16 years of age are employed, the average rate of wages at only 22*l.* 10*s.* a year, we shall have (dividing 18,000,000 by 22·5), 800,000 as the total number of persons directly employed in the different departments of the manufacture.

"We should mistake, however, if we supposed that this number, great as it certainly is, comprised the whole number of persons to whom the cotton manufacture furnishes subsistence, exclusive of the capitalists. Of the sum of 9,000,000*l.* set apart as the profit of the capitalists, and the sum required to furnish coal, and to defray the wear and tear of machinery, &c., a large proportion must annually be laid out in paying the wages of engineers, machine-makers, iron-founders, smiths, joiners, masons, bricklayers, &c. It is not easy to say what this proportion may amount to; but taking it a *third*, or 3,000,000*l.*, and supposing the rate of wages of each indivdiual to average 30*l.* a year, the total number employed in the various capacities alluded to will be (3,000,000 divided by 30) 100,000; and a sum of 6,000,000*l.* will remain to cover the profits of the capital employed in the various branches of the manufacture, to repair the different parts of the machinery and buildings as they wear out, and to buy coal, flour, &c. The account will, therefore, stand as under: —

		£
Total value of every description of cotton goods annually manufactured in Great Britain - -		34,000,000
Raw material, 240,000,000 lbs. at 7*d.* per lb. - -	£7,000,000	
Wages of 800,000 weavers, spinners, bleachers, &c. at 22*l.* 10*s.* a year each - - -	18,000,000	
Wages of 100,000 engineers, machine-makers, smiths, masons, joiners, &c. at 30*l.* a year each - -	3,000,000	
Profits of the manufacturers, wages of superintendence, sums to purchase the materials of machinery, coals, &c. - - - -	6,000,000	
		34,000,000

The capital employed may be estimated as follows: —

Capital employed in the purchase of the raw material -	4,000,000
Capital employed in the payment of wages - -	10,000,000
Capital vested in spinning mills, power and hand-looms, workshops, warehouses, stocks on hand, &c. -	20,000,000
	£34,000,000

" Now this sum of 34,000,000*l.**, supposing the interest of capital, inclusive of the wages of superintendence, &c. to amount to 10 per cent., will yield a sum of 3,400,000*l.*; which, being deducted from the 6,000,000*l.* profits, &c., leaves 2,600,000*l.* to purchase materials to repair the waste of capital, the flour required for dressing, the coals necessary in the employment of the steam engines, to effect insurances, and to meet all other outgoings.

" The aggregate amount of wages, according to the above statement, is 21,000,000*l.*; but there are not many departments of the business in which wages have to be advanced more than 6 months before the article is sold. We, therefore, incline to think that 10,000,000*l.* is a sufficient (perhaps too great) allowance for the capital employed in the payment of wages.

" If we are nearly right in these estimates, it will follow — allowance being made for old and infirm persons, children, &c. dependent on those actually employed in the various departments of the cotton manufacture, and in the construction, repair, &c. of the machinery and buildings required to carry it on — that it must furnish, on the most moderate computation, subsistence for from 1,200,000 to 1,400,000 persons! And for this new and most prolific source of wealth we are indebted partly, and principally, as already shown, to the extraordinary genius and talent of a few individuals; but, in a great degree, also, to that security of property and freedom of industry which give confidence and energy to all who embark in industrious undertakings, and to that universal diffusion of intelligence which enables those who carry on any work to press every power of nature into their service, and to avail themselves of productive capacities of which a less instructed people would be wholly ignorant." — (*Commercial Dictionary*, art. COTTON.)

Since the Dictionary was published some additional details, with respect to the manufacture, have been obtained through the Commissioners of Factory Inquiry, and the Factory Inspectors. These have been carefully analysed and compared by Mr. Baines; and his estimate, though formed on different principles, agrees substantially with the above, affording a pretty strong presumption in favour of their accuracy. We subjoin Mr. Baines's estimate, and the details connected therewith: —

* Mr. Kennedy, to whose opinion, on a matter of this sort, the greatest deference is due, considers this estimate as a great deal too high. We cannot, however, bring ourselves to believe that such is really the case. It appears, from the official accounts, that the real or declared value of the cotton fabrics exported in 1832 amounted to 12,622,880*l.*, and that of the twist to 4,726,796*l.* Now it appears from the statements in *Burn's Glance*, and other good authorities, that the weight of the cotton yarn retained at home to be wrought up into fabrics for domestic use is about 10 or 12 per cent. greater than the weight of the yarn exported in the shape of manufactured goods. But without taking this greater weight into account, if we suppose that the fabrics retained at home are nearly equal in point of quality to those exported, the value of the manufacture must be at least 30,000*l.*: viz. fabrics exported, 12,622,000*l.*; twist, 4,726,000*l.*; and fabrics consumed at home, 12,622,000*l.* But a very large proportion of our exports consists of comparatively coarse fabrics, destined for the West Indies, Brazil, &c.; and we have been assured by those well acquainted with the trade, that the value of the fabrics made use of at home cannot be less, at an average, than from 30 to 40 per cent. above the value of those exported; but taking it at only 30 per cent., it will make the total value of the manufacture 34,000,000*l.* We do not well see how this statement can be shaken. The exporters have no motive to exaggerate the real value of the goods and yarn sent abroad; but unless they have done so to a very great extent, it will be difficult to impeach the above conclusions.

" Estimated Yearly Value of the British Cotton Manufacture.

Wages of	£
237,000 * operatives engaged in spinning and power-loom weaving -	6,044,000
250,000 † hand-loom weavers, at 7*s.* per week each - -	4,375,000
45,000 calico printers, at 10*s.* per week each - - -	1,170,000
159,300 ‡ lace workers (including 100,000 employed in embroidery, and 30,000 in mending, pearling, drawing, and finishing) -	1,000,000
33,000 makers of cotton hosiery - - -	505,000
Bleachers, dyers, calenderers, fustian-cutters, machine-makers; makers of steam-engines, cards, rollers, spindles, shuttles, looms, and reeds; smiths, joiners, builders of all classes, millwrights, carriers, carters, warehousemen, &c. &c. &c.; say - - - -	4,000,000
Raw material (spun in 1833) 283,675,200 lbs. § at 7*d.* per lb. -	8,244,693
Profits of capital, sums paid for materials of machinery, coals, flour for dressing, and other outgoings ¶ - - -	6,000,000
	£ 31,338,693

" The only item in the above estimate which I feel to be subject to considerable doubt, is the sum of 4,000,000*l.* as the wages of the bleachers, dyers, machine-makers, and numerous other classes of workmen not otherwise specified. It does not appear unreasonable, but I distinctly acknowledge it to be only conjectural. The total sum arrived at, by this calculation, seems to be strongly supported by the " real or declared value " of the cotton exports.

" On the whole, after an attentive consideration of all the official and unofficial evidence which has been presented, I am of opinion that the annual produce of the cotton manufacture of the United Kingdom must be between 30,000,000*l.* and 34,000,000*l.*; and that the number of individuals directly employed in the manufacture, with those dependent on them for subsistence, must amount to *fifteen hundred thousand.*

" The estimates of the amount of capital invested in the cotton manufacture are attended with still greater uncertainty than estimates of the yearly produce. Mr. Kennedy, however, who is, perhaps, the best authority on this subject, is of opinion, after careful calculation, that the fixed capital employed in the spinning of cotton alone,—that is, in all the spinning machinery, mills,

* Mr. Stanway, from the Returns of the Mill-owners, ascertained that 67,819 mill operatives in England received 141,635*l.* 5*s.* 7¾*d.* as wages for a month of 4 weeks: at the same rate, 237,000 mill operatives, the number in the United Kingdom, would earn 6,434,455*l.* per year. But as wages in Scotland are 10 per cent. and in Ireland 15 or 20 per cent. lower than in England, and as 2 weeks' wages in the year ought to be deducted for holidays, the amount of wages paid will be about 6,044,000*l.*

† In my estimate of the *number* of weavers, I have not reckoned the winders, draw boys, &c. who assist them, and who must amount to a great many thousands; but in the supposed average of their *wages,* I include those earned by the assistants of the weavers as well as by the weavers themselves. The sum of 7*s.* per week for the *gross* wages of all the hand-loom weavers is, I am convinced, a fair estimate. The calculation is for 50 weeks in the year.

‡ The wages paid to the women and children employed in embroidery, mending, &c. the lace, must be extremely low. Mr. Felkin estimates the whole value of the lace manufactured in England at 1,850,650*l.*; deduct the cost of the yarn, 635,000*l.*, and there remains the sum of 1,215,650*l.*; of which, probably, 1,000,000*l.* consists of wages to the work people.

§ The quantity stated by Burn in the " *Commercial Glance.*"

¶ I adopt this sum from Mr. M'Culloch, thinking it a moderate estimate.

and other apparatus,—amounts to 7,000,000*l.*; and that the fixed capital engaged in the processes of throwing or doubling, twisting, winding, warping, dressing, weaving, bleaching, dyeing, printing, and in hosiery and lace-frames, may amount to 8,000,000*l.*; and that the floating capital requisite to keep all the machinery in motion, and to carry on the spinning and other branches of manufacture, may be 15,000,000*l.* This would make a total of 30,000,000*l.*, and may be thus shown: —

	£
Fixed capital invested in the spinning business (including mills, machines, &c.) - - - - - -	7,000,000
Fixed capital invested in the preparation of the yarn, weaving, bleaching, dyeing, printing, and in hosiery and lace-frames - -	8,000,000
Floating capital employed in all the above branches - - -	15,00,000
	£30,000,000

"In the first of these items, as in other instances, it seems to me that Mr. Kennedy errs on the side of moderation. Mr. Burn states that 17*s.* 6*d.* per spindle is the present valuation for mills and machinery in the cotton-spinning business; at which rate, as there are about 9,330,000 spindles in the United Kingdom, the whole of the mills and machinery would be worth 8,166,375*l.* A highly respectable and intelligent cotton spinner, to whom I have submitted the question, says, after ascertaining the cost of the machinery in his own extensive works, — "At a moderate estimate, and, certainly, considerably below the actual cost, I find that the machinery employed in spinning cotton amounts to 60*l.* for each individual employed, including water-wheels, steam-engines, shafts and gearing, straps, drums, &c. &c.; but exclusive of the money sunk in buildings, land, weirs, embankments, &c." Now, we have estimated the mill operatives at 237,000, of whom about 57,000 are engaged in power-loom weaving; the remaining 180,000, are engaged in cotton spinning and doubling, and this number, at 60*l.* each (which excludes the buildings, land, &c.), would show the value of the spinning machinery alone to be 10,800,000*l.* That this is not too high an estimate, seems probable, from the statement of Mr. Holland Hoole, who says (in his "Letter to Lord Althorp, in Defence of Cotton Factories," p. 8.) — 'A cotton factory, upon the fire-proof principle, adapted for the employment of 1,000 persons, cannot be built, filled with machinery, and furnished with steam-engines and gas works, for a less sum than 100,000*l.*' This calculation, therefore, is 100*l.* for each individual employed; if it were correct, the value of the spinning mills and machinery would be 17,200,000*l.* Amidst these widely different estimates, we shall scarcely err on the side of excess if we take the valuation given by one of my informants to the machinery alone, namely, 10,800,000*l.*, as the value of the mills and the machinery together. The capital invested in factories and machinery for power-loom weaving is estimated, by the practical gentleman already mentioned, to amount to 24*l.* for each individual employed; and as, at least, 57,000 individuals are employed in that department, the whole capital must amount to 1,368,000*l.*: add this to the capital invested in the spinning mills, and it will make a total sum of 12,168,000*l.* On the whole, Mr. M'Culloch's estimate of the amount of capital directly employed in the manufacture, namely, 34,000,000*l.*, appears to me very moderate." — (*Hist. of Cotton Manufacture*, p. 142.)

Distribution of the Manufacture. — Lancashire was the earliest, and it still continues to be the principal, seat of the cotton manufacture; Manchester being, as it were, the head quarters of this great department of industry. Of 1,070 cotton mills, employing 182,082 individuals, reported to be at work in England in 1834, no fewer than 683 mills, employing 122,415 individuals, were situated in Lancashire; 122 mills, employing 37,200 hands, being

within the single parish of Manchester! The next greatest seats of the manufacture, within the county, are Oldham, Rochdale, Bolton, Bury, Preston, Wigan, Stayley Bridge, Heap, &c. Cheshire is, next to Lancashire, the principal manufacturing district; for, though the number of mills in it (109) be less than those in the West Riding of Yorkshire (126), they are upon a much larger scale, employing 31,512 hands, while the latter only employ 10,911. The Cheshire manufacture is principally carried on at Hyde, Stockport, Bollington, and Mottram. The manufacture in the West Riding of Yorkshire is much diffused; but the greatest number of mills are in the parish of Halifax. The manufacture is, also, carried on to a considerable extent in Derbyshire, principally in the hundred of High Peak, and in Cumberland, and Stafford. In Wales it is principally confined to Flintshire.

Nottinghamshire is the principal seat of two rather peculiar, but most important branches of the cotton manufacture — that of lace and of cotton stockings. The application of the stocking frame to the lace manufacture was first attempted by a watchmaker of the name of Hammond, in 1768; but the difficulties in the way of the attempt were not completely overcome till Mr. Heathcoat made some important alterations and improvements in the machinery, for which he took out a patent in 1809. The lace, or, as it is usually called, bobbin net, produced on Mr. Heathcoat's frames, having seriously affected the manufacture of pillow lace, or lace wrought by the hand, his machines became the object of attack by the workmen; who, under the name of Luddites, maintained, for a lengthened period, a formidable combination against them. But this conspiracy being suppressed, and Mr. Heathcoat's patent having expired in 1823, and various improvements having been since effected in the manufacture, it has wonderfully increased. The beauty and cheapness of the fabric are such, that it has not only destroyed the old manufacture of pillow lace in this country, but in Belgium and France! Instead of smuggling French lace into England, English lace is now very largely smuggled into France. Mr. Felkin of Nottingham, who, besides being engaged in the trade, is advantageously known by his statistical researches, estimated the total hands employed in the bobbin net trade in 1833 at 159,300, and the value of the manufacture at 1,850,000*l.*

The cotton stocking manufacture is principally carried on in Nottinghamshire, and partly also in Derbyshire, and to a smaller extent in some other places. The total number of frames employed in 1833, were estimated, by Mr. Felkin, at 16,300; the stockings made at 2,830,000 dozen pairs, and their value at 880,000*l.* During the same year, there were exported 468,000 dozen pairs of stockings, supposed to be worth 257,931*l.*

Lanarkshire, and the contiguous county of Renfrew, have always been the principal seat of the Scotch cotton manufacture. Some of the fabrics made at Glasgow and Paisley are of almost unrivalled beauty and fineness. The first steam-engine for the spinning of cotton, erected in Scotland, was constructed so late as 1792. Mr. Leonard Horner, one of the Factory Inspectors, reported, in 1833, that "In Scotland there are 134 cotton mills; that, with the exception of some large establishments at Aberdeen, and one at Stanley, near Perth, the cotton manufacture is almost confined to Glasgow, and the country immediately adjoining, to a distance of about 25 miles radius; and all these country mills, even including the great work at Stanley, are connected with Glasgow houses, or in the Glasgow trade. In Lanarkshire, in which Glasgow is situated, there are 74 cotton factories; in Renfrewshire, 41; in Dunbartonshire, 4; in Bute, 2; in Argyle, 2; and in Perth, 1, &c."

According to the official returns published by the Board of Trade (vol. iv. p. 386.), there were in Scotland, in 1834, 159 cotton factories, employing, in all, 32,580 hands.

The cotton manufacture of Ireland is of very inferior importance, not

merely to that of England, but even to that of Scotland. Latterly, however, it has made a rapid progress. It is principally situated in Belfast and its vicinity, or in the counties of Antrim, Down, and Armagh; but there are factories in the county of Dublin, and in other places. Contrary to the anticipations of most of those engaged in it, the increase of the manufacture has been most rapid since the repeal of what were falsely called protecting duties, laid on English cottons when imported into Ireland; the real effect of which was to make the manufacturers depend for success rather on custom-house regulations than on their own skill and enterprise. The scarcity and bad quality of Irish coal forms one of the principal obstacles to the extension of the manufacture in Ireland. Most of the coal used in Belfast is, in fact, imported from Britain. In 1834, there were in Ireland 28 cotton factories, employing 4,311 hands. In November, 1835, there were in Belfast 10 cotton mills, employing 2,556 work-people. We subjoin a

Table exhibiting the Number of Cotton Factories in each County of England, and in Wales, in Scotland, and in Ireland; with the Description and Amount of the Motive Force and the Number and Ages of Persons employed. — (*Papers published by Board of Trade*, vol. iv. p. 382. &c.)

Counties.	Number of Factories.		Motive Force.						Power actually employed.	Persons employed.		
			Number of			Amount estimated according to Horse Power.				Between 8 and 12 Years.		
	At Work.	Empty.	Steam Engines.	Water Wheels.	Total.	Steam.	Water.	Total.		Males.	Females.	Total.
ENGLAND.												
Chester	109	7	170	53	223	5,055	1,266	6,321	5,598	425	406	831
Cumberland	13	- -	- -	- -	- -	- -	- -	- -	- -	8	4	12
Derby	32	- -	- -	- -	- -	- -	- -	- -	- -	87	97	184
	60	3	33	58	91	553	853	1,406	1,270	95	95	190
Durham	1											
Lancaster	683	32	714	233	947	20,302½	2,851	23,153½	21,207½	2,806	1,983	4,789
Leicester	6	- -	- -	- -	- -	- -	- -	- -	- -	9	- -	9
Middlesex	7	- -	- -	- -	- -	- -	- -	- -	- -	22	- -	22
Nottingham	20	- -	- -	- -	- -	- -	- -	- -	- -	17	23	40
Stafford	9	- -	- -	- -	- -	- -	- -	- -	- -	35	45	80
	4	- -	3	2	5	90	60	150	134	37	33	70
York, West Riding	426	- -	75	129	204	1,317	1,103	2,420	2,231½	489	387	876
Total England	1,079	42	- -	- -	- -	- -	- -	- -	- -	4,030	3,073	7,103
Wales	5											
Scotland	159	- -	- -	- -	- -	- -	- -	- -	- -	454	538	992
Ireland	28	- -	- -	- -	- -	- -	- -	- -	- -	44	58	102
Total Empire	1,262	42	- -	- -	- -	- -	- -	- -	- -	4,528	3,669	8,197

Counties.	Number and Ages of Persons employed.											
	Between 12 and 13 Years.			Between 13 and 18 Years.			Above 18 Years.			Total Persons.		
	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.
ENGLAND.												
Chester	1,448	1,206	2,654	3,672	4,315	7,987	9,971	10,069	20,040	15,516	15,996	31,512
Cumberland	57	38	95	169	332	501	392	658	1,050	626	1,032	1,658
Derby	261	289	550	550	998	1,548	910	2,003	2,913	1,838	3,387	5,225
	243	275	518	523	926	1,449	1,916	1,553	3,468	2,276	2,849	5,625
Durham	- -	2	2	4	11	15	8	11	19	9	24	33
Lancaster	6,419	5,261	11,680	16,855	20,365	37,220	34,071	34,655	68,726	60,151	62,264	122,415
Leicester	66	17	83	130	92	222	120	158	278	325	267	592
Middlesex	24	- -	24	109	14	123	62	119	181	217	133	350
Nottingham	82	131	213	132	382	514	250	706	956	481	1,212	1,723
Stafford	33	68	101	95	237	332	152	392	544	315	742	1,057
	34	45	79	166	166	272	257	313	570	434	557	991
York, West Riding	529	533	1,062	1,632	2,031	3,663	2,773	2,537	5,187	5,187	5,724	10,911
Total England	9,196	7,865	17,061	23,974	29,869	53,843	50,675	53,410	104,085	87,875	91,217	182,092
Wales	56	33	89	146	208	354	250	458	708	452	699	1,151
Scotland	1,238	1,832	3,070	2,845	7,597	10,442	6,168	12,103	18,271	10,529	22,051	32,580
Ireland	353	484	834	286	561	847	960	1,553	2,513	1,639	2,672	4,311
Total Empire	10,663	9,911	20,574	27,251	38,235	65,486	58,053	67,824	125,877	100,495	119,639	220,134

The number of work-people employed in mills, according to this table, differs a little from the number in Mr. Baines's estimate. But there are known to be sundry omissions in the table; and it is, moreover, impossible, owing to the changes that are always taking place, to form any positive conclusion as to the number of hands engaged in cotton factories at any

particular period, from knowing the number engaged at some antecedent period. At present (January, 1836) the manufacture is in a state of almost unexampled progress. It appears, from a statement of Dr. Kay, the assistant Poor Law Commissioner for the Lancashire district, dated the 22d of July, 1835, that there were then as many factories, principally cotton, in the course of being erected, in the manufacturing districts of Lancashire and its immediate vicinity, as would require an outlay of 3,753,000*l.* of capital, employ a motive power equal to 7,507 horses, and furnish employment for no fewer than 45,042 mill hands. — (1st *Report of Poor Law Commissioners*, 1835.) These mills Dr. Kay supposes would be *all* constructed and at work in a year and a half or two years from July, 1835. Hence, even the most exaggerated estimates of the magnitude of this wonderful manufacture must speedily fall short of the reality. Its progress outstrips the anticipations even of the most sanguine.

CONDITION OF LABOURERS EMPLOYED IN COTTON FACTORIES.

Wages. — The wages of the adults engaged in factories are in general high, many of them earning from 3*s.* 6*d.* to 6*s.* 6*d.* a day, and some more. Employment in factories is also remarkably steady, not depending, like work carried on out of doors, on the state of the weather, or other uncertain contingencies, but is prosecuted almost without interruption. Hence the superior condition of the factory work-people. Such of them as are provident are in decidedly comfortable circumstances. Their money wages have somewhat declined since the peace, but they have not declined to any thing like the extent that the prices of bread, beef, clothes, and almost every necessary and useful article, have done; so that the manufacturing part of the population possess, at this moment, a greater command over the necessaries and conveniences of life, and are in decidedly more comfortable circumstances, than at any former period.

Mr. Cowell, one of the Commissioners of Factory Inquiry, obtained, when at Manchester in 1833, accurate returns from 151 of the principal mills in that town and its immediate vicinity, and in the adjoining manufacturing districts of Lancashire and Cheshire, employing 48,645 hands, specifying the departments in which they were respectively employed; the number, sex, and age of those employed in each; and the wages earned by each class during the month and week ending the 4th of May, 1833. These returns have been very carefully classified and set in different points of view by Mr. Cowell. The general results are as follows: —

Table distributing the 48,645 Hands into Eight different Branches or Departments of Cotton-working, and showing the Aggregate Nett Earnings of the whole Number of the Operatives in each Branch, and the Average Nett Earnings of an Operative in each for 69 Hours' Work.

Employed in	Adults.		Children under 18 Years.		Total Number employed.	Aggregate Number of Hours worked by the whole during the Month ending 4th May, 1833.	Average Number of Hours worked by each.	Aggregate Amount of their Nett Earnings for the Month ending 4th May, 1833.	Average Weekly Nett Earnings of each Individual in each *Branch*, calculated for 69 Hours.
	Males.	Females.	Males.	Females.					
								L. s. d.	*s. d.*
Cleaning and spreading cotton	272	689	222	99	1,282	353,660·5	275·8	2,111 1 5	8 2¾
Carding	2,350	3,501	1,328	2,218	9,397	2,591,188·7	275·7	17,252 16 8¾	9 2¾
Mule-spinning	5,163	1,189	6,599	2,654	15,605	4,291,208·6	274·9	33,057 12 2¾	10 7¼
Throstle-spinning	194	688	409	555	1,846	501,621·5	271·7	2,819 1 6¾	7 9
Reeling	116	2,552	45	573	3,316	906,261·8	273·2	5,213 14 3¾	7 11¼
Weaving	4,627	6,108	1,631	3,674	16,040	4,400,274·7	274·3	36,080 19 11	11 3¾
Roller covering	61	87	6	16	170	47,268·3	278·0	414 15 7	12 1
As Engineers, Firemen Mechanics, &c.	927	7	54	1	989	270,720·7	273·7	4,021 17 2¾	20 6
	13,740	14,821	10,294	9,780	48,645	13,362,204·3	274·6	100,971 18 11¼	Average 10 5

Table showing the Average Nett Earnings of certain Classes of Operatives employed in the Four Processes of Carding, Mule-spinning, Throstle-spinning, and Weaving.

Denomination of Process in which employed.	Class of Operatives.	Classification as respects Sex and Age.	Total Number of Persons employed.	Total Number of Hours worked by them during the Month ending May 4th, 1833.	Average Number of Hours worked by each.	Aggregate Nett Earnings for the Month ending 4th May, 1833.	Average Weekly Nett Earnings of each Individual in each Process, calculated for 69 Hours.
						L. s. d.	s. d.
Carding	Carders or Overlookers	Male adults	676	103,495·9	275·2	1,762 17 3½	23 6
	Jack-frame tenters	Principally female adults	696	190,385·0	273·5	1,103 10 3½	8 0
	Bobbin-frame tenters	Ditto ditto	945	261,660·1	276·8	1,414 3 5	7 5½
	Drawing tenters	Ditto ditto	1,931	532,287·3	275·6	2,885 3 8½	7 5½
	Overlookers	Male adults	145	40,018·6	275·9	848 2 2	29 3
Mule-spinning	Spinners	Male and female adults, but principally the former	3,797	1,046,252·0	275·5	19,154 3 5	25 8
	Piecers	Male and female adults and non-adults, but principally the latter	7,157	1,966,804·8	274·8	7,688 14 8½	5 5
	Scavengers	Male and female non-adults	1,247	340,019·1	272·6	712 2 11½	2 10½
Throstle-spinning	Overlookers	Male adults	82	22,371·9	272.8	362 14 11½	22 4½
	Spinners	Female adults and non-adults	1,123	305,712·4	272·2	1,716 17 6½	7 9
Weaving	Overlookers	Male adults	400	109,577·0	273.9	2,088 1 4	26 3½
	Warpers	Male and female adults	332	90,660·2	273·0	805 5 0	12 3
	Weavers	Male and female adults, male and female non-adults, but chiefly females	10,171	2,784,258·7	273·7	21,835 9 6½	10 10
	Dressers	Male adults	836	230,771·0	276·0	4,650 4 11	27 9½

Perhaps, however, the most complete and satisfactory statement as to the wages paid to the labourers in cotton factories, and other descriptions of work-people, in Manchester, is contained in the following table, applicable to 1832, since which there has been no material change, drawn up by the Manchester Chamber of Commerce: —

	L. s. d.	L. s. d.
Spinners, men	1 0 0	to 1 5 0
women	0 10 0	- 0 15 0
Stretchers	1 5 0	- 1 6 0
Piecers (boys and girls)	0 4 7	- 0 7 0
Scavengers	0 1 6	- 0 2 8
In the Card-room:		
Men	0 14 6	to 0 17 0
Young women	0 9 0	- 0 9 6
Children	0 6 0	- 0 7 0
Throstle spinners	0 5 0	- 0 9 6
Reelers	0 7 0	- 0 9 0
Weavers by Power:		
Men	0 13 0	to 0 16 10
Women	0 8 0	- 0 12 0
Dressers' men	1 8 0	- 1 10 0
Winders and warpers	0 8 0	- 0 11 0
Mechanics	1 4 0	- 1 6 0
Weaving by Hand: *Quality.* *Woven by*		
Nankeens, fancy men	0 9 0	to 0 15 0
common children and women	0 6 0	- 0 8 0
best men	0 10 0	- 0 15 0

Weaving by Hand—*continued.* *Quality.* *Woven by*	L. s. d.	L. s. d.
Checks, fancy men	0 7 0	to 0 7 6
common children	0 6 0	- 0 7 0
Cambrics all ages	0 6 0	- 0 6 6
Quiltings men and wom.	0 9 0	- 0 12 0
Fustian cutters all ages	0 10 0	- 0 12 0
Machine-makers men	1 6 0	- 1 10 0
Iron founders do.	1 8 0	- 1 10 0
Dyers and dressers do.	0 15 0	- 1 0 0
do. do. young men	0 12 0	- 0 14 0
do. do. boys	0 5 0	- 0 10 0
Tailors men	0 18 0	
Porters	0 14 0	- 0 15 0
Packers	1 0 0	
Shoemakers	0 15 0	- 0 16 0
Whitesmiths	1 2 0	- 1 4 0
Sawyers	1 4 0	- 1 8 0
Carpenters	1 4 0	
Stonemasons	0 18 0	- 1 2 0
Bricklayers	0 17 0	- 1 0 0
Bricklayers' labourers	0 12 0	
Painters	0 18 0	
Slaters	0 8 8	per day.
Plasterers	0 19 0	to 1 1 0
Spademen	0 10 0	- 0 15 0

Subjoined is an account of the prices of the principal articles of provision in Manchester from 1826 to 1832, both inclusive, also drawn up by the Chamber of Commerce: —

Articles.	1826.	1827.	1828.	1829.	1830.	1831.	1832.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Beef, best per lb.	0 6½	0 6	0 6½	0 6	0 5½	0 6	
coarse —	0 4½	0 4	0 4	0 3½	0 3	0 3½	
Bacon —	0 7½	0 8	0 7½	0 7½	0 6½	0 7	0 7
Bread-flour per 12 lbs.	2 5½	2 5	2 7	2 9	2 7	2 6	2 4
wheaten per lb.	- -	- -	0 1½	0 2	0 2	0 1½	0 1½
Cheese —	0 7½	0 7½	0 8	0 6½	0 7½	0 8	0 7½
Malt per 9 lbs.	2 1	2 4	2 2	2 2	2 1	2 4	2 2
Meal per 10 lbs.	1 7½	1 8½	1 7½	1 6	1 6	1 6	1 3
Potatoes per 252 lbs.	9 9	4 9	5 8	6 6	6 0	6 3	4 3
Pork per lb.	0 6½	0 7	0 6½	0 6½	0 5	0 5½	0 5½

These authentic statements fully demonstrate that, as respects wages, the condition of the work-people employed in cotton factories is eminently prosperous. And yet every one at all familiar with the history of the factory system must be aware, that every now and then allegations are put forth of the injury done the work-people by the introduction of improved machinery; and statements without number have been published, contrasting the nearly stationary amount of their wages with the vast increase in the quantity of work they have to perform. Mr. Cowell, however, in the most important and valuable, as well as original, paper contained in the *Reports* of the Factory Commissioners, has shown the fallacy of these representations, and has proved, by a careful and elaborate deduction, that neither has been nor can be impeached, that *improvements in machinery invariably increase, at one and the same time, the profits of the mill-owner and the wages of the workmen.* This might have been established on general grounds; but Mr. Cowell, whose diligence cannot be too highly commended, has proved, by comparing and carefully digesting returns, obtained from the wide basis already referred to, that such is, in *all cases*, the immediate effect of improvements.

Spinners are paid according to a fixed scale of prices, depending on the work done, and which decreases when the quantity of yarn they produce in equal spaces of time is increased. But the ratio of the decrease of price is less than that of the increase of work; so that when a workman is able, by the assistance of improved machinery, to produce, in a given time, a third or a half more yarn than previously, his wages do not fall a third or a half, but in some less proportion: so that he, as well as his master, reaps a direct and immediate advantage from the improvement of machinery; while, owing to the fall that takes place in the price of the manufactured article, the demand for it is extended, and the manufacture kept on the increase. We shall give an example of this.

In 1833, Mr. Cowell tells us, a spinner could produce, in two fine spinning mills in Manchester, 16lbs. of yarn of the fineness of 200 hanks to the pound, from *mules* carrying from 300 to 324 spindles, working 69 hours a week; the quantity that he turned off in 69 hours more frequently exceeding 16lbs. than falling short of it. Now, according to the list of prices, the spinner who produces 16lbs. of yarn of No. 200., on *mules* of the power of from 300 to 324 spindles, is paid 3*s.* 6*d.* per pound. This gives 54*s.* for his *gross* receipts, out of which he had to pay 13*s.* for assistants, leaving 41*s.* for his nett earnings. But the power of the *mules* has since been doubled, that is, they now carry 648 spindles instead of from 300 to 324, and the same spinner produces 32lbs. of yarn, of the fineness of 200 hanks to the pound, in 69 hours; for this he is paid at the rate of 2*s.* 5*d.* per pound (instead of 3*s.* 6*d.*). His gross receipts are, therefore, immediately raised to 77*s.* 4*d.* (32 × 2*s.* 5*d.*). He now, however, requires five assistants to help him, and, averaging their cost at 5*s.* 6*d.* each, their labour will cost him 25*s.*, or, to avoid all cavil, say 27*s.*, which, being deducted from his gross receipts, leaves 50*s.* 4*d.* for his nett wages — that is, 9*s.* 4*d.* more than he received when he only produced half the yarn. — (*Supplemental Factory Report*, D. I.)

It may be said, perhaps, that, even in this instance, the spinner "*does more work for less wages*" than before the improvement. But such is not the fact. The machine he is employed to superintend does more work in the same time than *it* did before; while the labour of the spinner remains the same, or is, perhaps, lessened. And yet, merely because he is employed to attend a more powerful and efficient machine, he gets 9*s.* 4*d.* a week, or nearly 1*s.* 7*d.* a day, of additional wages. Now, this principle holds universally; and Mr. Cowell was, therefore, justified in affirming, that "a spinner earns a shilling, a pound, or a hundred pounds, in less time at present, than he could have done ten years ago, and with the same or less labour; that this enhancement of his earnings has been owing to improvements of machinery; that the progress of

improvements will progressively advance his earnings still higher, and, at the same time, enable a greater number of individuals to profit by the enhanced rate, than actually profit by the present rate. I assert that every improvement of cotton machinery, in every department of cotton working, has hitherto had the effect of enabling 'an operative' (speaking generally of every one, in every department whatever) to earn a greater nett amount of money, in any given time, than he would have done had the improvement not taken place."

Mr. Cowell successfully employs this important principle to explain the extraordinary discrepancies that occur in the average rate of earnings in different mills in Manchester and its vicinity. It is obvious, indeed, that, without knowing the quantity of work done, or of yarn turned off in different mills, the earnings of those engaged in them cannot be compared: in mills, too, where the finest and best machinery is employed, the proportion of non-adults, or of unskilled labour, is the largest.

In the same way, Mr. Cowell has shown the nugatory nature of the statements laid before the Factory Commissioners, as to the cheapness of foreign compared with English labour. It may be true that a workman earns 30*s.* or 40*s.* in a given time, in a mill in Manchester, and only 15*s.* or 20*s.* in the same time in a mill in France or Prussia. But what has this to do with the cost of labour? Arthur Young said that a labourer in Essex was cheaper at 2*s.* 6*d.* a day, than a labourer in Tipperary at 5*d.* Without knowing the *quantity of work done* in the mills of which we know the earnings of the workmen, we have no ground whatever for affirming that the labour performed by the one who gets the least money is really the cheapest.

But, if we knew this, we have not the slightest doubt that the stories about the great cheapness of labour on the Continent would be found to be about as authentic as fairy tales. Mr. Edwin Rose, who had been practically employed as an operative engineer in different factories in France and Germany, on being examined by Mr. Cowell, stated distinctly, that it took twice the number of hands to perform most kinds of factory work in France, Switzerland, &c., that it did in England; and that wages there, if estimated by the only standard good for any thing, — that is, by the *work done*, — were higher than in England! We have no doubt that this is the truth, and nothing more.

Hand-loom Weavers. — It may be right to observe that the above statements, as to the prosperous condition of the work-people engaged in the cotton trade, apply only to those employed in factories; that is, to spinners, warpers, dressers, dyers, printers, power-loom weavers, &c.; but that they do not apply to those employed out of the factories, or to the hand-loom weavers. The condition of the latter, we regret to say, has long been one of great misery and destitution. We are satisfied, however, that a great deal of misconception exists with respect to it. We doubt much, notwithstanding the currency of the opposite opinion, whether the hand-loom weavers have been materially injured by the introduction of the power-looms. Had the weavers been in a prosperous state before they were exposed to this new competition, there would have been plausible grounds, at least, for concluding that it had been mainly instrumental in sinking them into their present hopeless situation. But, in point of fact, the condition of the weavers when the power-looms were only beginning to be talked of was very little, if any thing, better than at present. So far back as 1808, Mr. William Radcliffe, one of the inventors of the dressing-machine, and intimately acquainted with the manufacture, was examined by the Committee of the House of Commons appointed to inquire into the claims of the Rev. Dr. Cartwright, the inventor of the power-loom, to a public reward; when he made the following statement: — "To that part of your question, whether I think the general adoption of the loom by power will operate to the prejudice of the

weavers in the old way, I answer, no. In the first place, their situation, for the last twelve or eighteen months, has been such, that it cannot be made worse; as during that time, generally speaking, they have neither been able to pay rents nor buy themselves clothes; *all their earnings have barely been sufficient to keep them alive;* and men who have families to support are obliged to work from sixteen to eighteen hours in the day to do this." Nor was this distress temporary merely. From 1808, when this striking evidence was given, down to 1818, when there were not more than 2,000 power-looms in Lancashire, the weavers were exposed to similar privations. Their wages have fluctuated since, according to the greater or less prosperity of the trade; but, a few short intervals excepted, they have always been so ruinously low, as to be altogether inadequate to support them in any thing approaching to comfort.

But it will probably be said, that, how much soever the condition of the hand-loom weavers may have been depressed in 1808 or 1818, the subsequent extension of the manufacture would have insured its being very materially improved, but for the introduction of the power-looms. This, however, is a very questionable proposition. A very considerable part of the extraordinary progress of the manufacture of late years is certainly ascribable to the employment of power-looms; but, supposing Dr. Cartwright's invention had not come into the field, and that the progress of the manufacture had, notwithstanding, been equally great, still we doubt whether the situation of the weavers would have been materially different from what it now is. The truth is, that their low wages are not occasioned by the competition of the power-looms, but *by the easy nature of their employment.* The following remarks of Mr. Baines seem to be quite decisive as to this point: —"The labour of the cotton-loom requires little strength, and still less skill; it may be performed by a boy or girl of 12 years old, and may be quickly learned by men who have been brought up to any other employment. It is obvious, that that which is only a child's labour can be remunerated only by a child's wages. In point of fact, women and children are continually put to the loom: weavers, who have not an opportunity of sending their children to mills, teach them to weave as soon as they are able to throw the shuttle. Thus this department of labour is greatly overstocked, and the price necessarily falls. The evil is aggravated by the multitudes of Irish who have flocked into Lancashire, some of whom, having been linen weavers, naturally resort to the loom, and others learn to weave as the easiest employment they can adopt. Accustomed to a wretched mode of living in their own country, they are contented with wages that would starve an English labourer. They have, in fact, so lowered the *rate* of wages, as to drive many of the English out of the employment, and to drag down those who remain in it to their own level. It is manifest that these are reasons amply sufficient to account for the long continued and extreme depression of the hand-loom weavers: and as they are incapable of remedy so long as the employment itself exists, the introduction of the power-loom, which must put an end to it, is to be hailed as a national blessing."

The greatest improvement that could possibly take place, at present, in the manufacturing districts would be the general transfer of the hand-loom weavers to the factories in the progress of being built. A transfer of this sort has occurred to some extent; but it is checked partly by the improvement that has taken place in the wages of hand-loom weavers within the last two or three years, partly by expectations of relief founded on legislative interference, and partly by the unwillingness of the weavers to enter factories, and to submit to the strict discipline that is necessarily kept up in them. But there can be no doubt that, sooner or later, they will be driven from their business. The increased wages they are now receiving acts as a premium upon the erection of power-looms, which not only do their work

cheaper, but better. The only resource, in fact, for the weaver is to bring up his children to other employments; and to embrace the first favourable opportunity of leaving the business himself. All attempts to interfere with the natural rate of wages, by the formation of what have been called Boards of Trade, or otherwise, are mere quackery and delusion. They might, if it were seriously attempted to carry them into practice, do much injury to the manufacture; but it is a contradiction and an absurdity to suppose that they should do any good to the weavers. *Their* only resource is to abandon their business.

Health of the Labourers employed in Cotton Factories. — This is a subject as to which there has been a great deal of misrepresentation. Children, that is, young persons between the ages of 9 and 14 years, as well as adults, are largely employed in factories; and, while the health and morals of the latter are said to suffer severely, the former have been described as being stunted in their growth, and rendered decrepit and miserable for life, by the prolonged confinement, drudgery, and ill treatment to which they are exposed. These representations of the injurious effects of what has been called *white slavery* were at length embodied in a Report of a Committee of the House of Commons in 1832. We believe, however, that we run little risk in affirming that this report contains more false statements and exaggerated representations than any other document of the kind ever laid before the legislature. It made a great sensation; and the discussions to which it, or rather the proposal that grew out of it, for limiting factory labour to 10 hours a day, gave rise, induced government to appoint a commission to inquire, on the spot, into the actual condition of the labourers, and especially of the children, employed in factories. This commission, to whose reports we have already referred, collected a great deal of valuable and authentic information; and much light has since been thrown on the question of factory labour. It were absurd to pretend, as some have done, that the statements and representations as to its pernicious influence have been proved to be *wholly* destitute of foundation; but they have been shown to be very greatly exaggerated. That great inattention to cleanliness, and some very revolting abuses, have existed in some factories, particularly in those of the smaller class, is quite certain. But the instances of abuse bear but a small proportion to the total number; and, speaking generally, factory work-people, including non-adults, are as healthy and contented as any class of the community obliged to earn their bread in the sweat of their brow.

We do not, however, know that we should object to the total exclusion of children, from 9 to 13 years of age, from factories, provided we had any reasonable security that they would be moderately well attended to and instructed at home. But no such security is to be looked for. The parents of such children frequently want the ability, oftener the opportunity, and sometimes the wish, to keep them at home in any thing like a decent condition; to provide them with instruction, or to impress on them the importance of habits of cleanliness, sobriety, and industry. Were they turned out of the factories, few would either go to the country or to school. Four fifths of them would be thrown loose upon the streets, to acquire a taste for idleness, and to be early initiated in the vicious practices prevalent amongst the dregs of the populace in Manchester, Glasgow, Leeds, and other great towns. Whatever may be the state of society in these towns, we hesitate not to say, that *it would have been ten times worse but for the factories.* They have been their best and most important academies. Besides taking the children out of harm's way, they have imbued them with regular, orderly, and industrious habits. Their earnings are considerable, and are a material assistance to their parents; at the same time that they make them perform their tasks with a zeal and alacrity that is rarely manifested by apprentices serving without pay, merely that they may learn some art, trade, or mystery. Many factories have also day schools or Sunday schools, or both, attached

to them, which the children attend. But, independently of this, the training they undergo in factories is of inestimable value, and is not more conducive to their own interests than to those of the public.

We subjoin some conclusive extracts as to the state of the adult and non-adult work-people employed in factories, from the valuable report of Mr. Tufnell, one of the commissioners who travelled in Lancashire:—

"Of all the common prejudices that exist with respect to factory labour, there is none more unfounded than that which ascribes to it excessive tedium and irksomeness above other occupations, owing to its being carried on in conjunction with the 'unceasing motion of the steam-engine.' In an establishment for spinning or weaving cotton, all the hard work is performed by the steam-engine, which leaves for the attendant no manual labour at all, and literally nothing to do in general, but at intervals to perform some delicate operation, such as joining the threads that break, taking the cops off the spindles, &c. And it is so far from being true that the labour in a factory is incessant because the motion of the steam-engine is incessant, that the fact is, that the labour is not incessant on that very account, because it is performed in conjunction with the steam-engine. Of all manufacturing employments, those are by far the most irksome and incessant in which steam-engines are not employed; and the way to prevent an employment being incessant is to introduce a steam-engine into it. And these remarks, strange as it may appear, apply peculiarly to the labour of children in cotton factories. Three fourths of the children so employed are engaged in piecing at the mules, which, when they have receded a foot and a half or two feet from the frame, leave nothing to be done,—not even attention is required from spinner or piecer, but both stand idle for a time, which, if the spinning is fine, lasts in general three fourths of a minute or more. Consequently, in these establishments, if a child remains during twelve hours a day, for nine hours he performs no actual labour. A spinner told me that during these intervals he had read through several books. The scavengers, who have been said to be 'constantly in a state of grief, always in terror, and every moment they have to spare stretched all their length upon the floor in a state of perspiration,' I have seen idle for four minutes at a time, and certainly could not find that they ever displayed any symptoms of the condition described in this extract from the Report of the Factory Committee.

"The objections urged against the factory system, from its collecting a large number of persons together under one roof, are equally unfounded. In truth, so completely erroneous is this notion, that the complaint ought to be just the reverse,—that there are not enough large factories, and too many small ones. I invariably found that the large factories were those in which the health, general comfort, and convenience of the workmen were most attended to, and where they were the best off in every respect. And it would be an extraordinary circumstance if it were not so. When a large body of workmen are collected together under one employer, he is enabled to allow them many indulgences, at a comparatively small expense, but which would cause a serious outlay to the proprietor of a small establishment. It is the interest of a master manufacturer to do all that is in his power to accommodate his men, as he thereby is enabled to attract the best workmen into his employ, owing to the good repute which his factory will bear among them; therefore, a large establishment is certain to be best regulated, as it can be most cheaply well regulated. Accordingly, the greatest mills I always found to be the cleanest, the machinery most securely fenced off, and the hands of the neatest and most respectable appearance. In Messrs. Birley and Kirk's mill, the largest in Manchester, the workmen are allowed as much hot water as they please at tea-time without charge, and persons are employed to take it to them. In Messrs. Strutt's mill, at Belper, each hand is allowed a pint of good tea or coffee, with sugar and milk, for one halfpenny, and medical

assistance gratis: a dancing room is also found for them in this establishment. It could never answer to put up a copper to heat water for 20 or 30 persons; nor could tea or coffee be sold at this price, unless a large number were supplied with it. Mr. Ashton can afford to pay for all the surgical assistance that is yearly required by his 1,173 workmen, as he can contract for it at 6 guineas a year: did he employ only a twelfth part of that number, he assuredly could not get a surgeon to take the contract at a twelfth part of 6 guineas. Mr. Bott undertakes to attend to all the ailments of the operatives in Messrs. Lichfield's mills, on payment of a halfpenny each weekly: he certainly would refuse to attend 20 persons for eighteenpence a week."

The notion so generally entertained, that factory labour is unfavourable to health and longevity, has been completely disproved. Mr. Rickards, the extremely well informed inspector for the Lancashire district, states the result of his inquiries, and of those of the surgeons having the charge of factories to be, that "*factory labour is decidedly not injurious to health or longevity, compared with other employments.*"

The stories as to the vicious morals and profligacy of the persons employed in factories, have also been shown to be without any real foundation whatever. The rectors of St. John's and St. Paul's, Manchester, the chaplain of the Manchester jail, and various dissenting clergymen intimately acquainted with the factory population, were closely examined by Mr. Tufnell as to this point; and their evidence goes to show, that the morals of the persons engaged in mills are quite as good as those of any other class of people, and that they have been materially improved — by means of Sunday schools, and otherwise — during the last 12 years. But, notwithstanding what has now been stated, we incline to think that the legislature did right in prohibiting altogether the employment of children in mills under 9 years of age. The limitation of the hours of work in factories is, however, a matter of great nicety and difficulty; and, perhaps, it would be better to arm the inspectors with powers for the prevention of abuse, than to interfere in any other way. It has, in most instances, been found quite impracticable to act on the clauses in the late act as to education; and the plan for having relays of children has also, for the most part, failed. The less, generally speaking, the cotton trade is tampered with the better. It is not indebted for any part of its rise to legislative encouragement or protection, and we hope no one may ever be able truly to affirm, that when the legislature did interfere its progress was retarded.

"It is worthy of remark," says Mr. Rickards, "that most of the wonderful discoveries which have raised these manufactures to their present unrivalled superiority, such as roller spinning, the jenny, the carding-machine, the mule, &c., owe their existence to the natural genius of uneducated men, moving only in the class of common workmen or labourers; — this is their proud boast. The improvements through which they have attained their present perfection are all ascribable to the same class; whilst, I believe, it may be safely added, that every one of the great fortunes and immense establishments existing in the manufacturing districts may be traced to the minute savings of common operatives, who, from the smallest of small beginnings, have, by prudence, skill, and unremitting perseverance and industry, raised themselves, with unexampled rapidity, to a pinnacle of wealth and importance which, but for its existence, could scarcely be believed. This, then, is a state of society, with its magnificent institutions, essentially popular in its origin; its progress and present results owing little to science, — nothing to patronage, — but all to the unaided efforts of natural genius and practical experience; often obstructed, but never encouraged, by legislative enactments; and, consequently, exhibiting a striking example of the benefits of non-interference, in matters where nothing is wanting but equal protection and security to insure splendid success."

SECT. IV. *Linen Manufacture.*

The linen manufacture has been prosecuted in England for a very long period, but until of late years its progress has been inconsiderable, compared, at least, with the progress made in other branches of manufacture. This seems to be partly owing to the attempts to bolster up and encourage the manufacture in Ireland, partly to the absurd restrictions that were for a lengthened period laid on the importation of foreign flax and hemp, and partly to the rapid growth of the cotton manufacture; fabrics of cotton having, to a considerable extent, superseded those of linen.

Mills for the spinning of flax were first constructed at Darlington. Previously to their introduction, about 45 years ago, the manufacture was in a very depressed state; the German and Belgian spinners being so superior to ours, that we derived the greater part of our linens from Flanders and the north of Europe. But the introduction of spinning by machinery, and the improvements that have been made in it, and in bleaching, &c., have raised us to the same level as the foreigner, and in some departments given us an advantage over him; so that, besides supplying our own markets with linen, we now export large quantities.

The manufacture is at present principally carried on in the West Riding of Yorkshire; its chief seat being in Leeds and its immediate vicinity, and in Lancashire, Dorset, Durham, and Salop. Of 16,193 individuals employed in flax mills within England and Wales in 1835, 9,438 were in the West Riding, and of these about a half belong to Leeds and the adjacent township of Holbeck. One of the largest mills in the empire, that of Messrs. Marshall, employing from 1,100 to 1,250 hands, is in the latter. The principal flax mills out of Leeds are situated on the Nidd and its tributary streams, in the neighbourhood of Knaresborough, Ripley, and Pateley.

Lancashire, which, after the West Riding, is the next greatest seat of the English linen manufacture, had, in 1835, 3,024 individuals employed in flax mills. Formerly, about half the sailcloth required for the use of the navy was manufactured at Warrington; but the manufacture has declined since the peace, though it is still carried on to a considerable extent. There is also a large manufactory of canvas at Freckleton, near Garstang. The manufacture in the other English counties is but inconsiderable.

Scotch Linen Manufacture. — The linen manufacture was long reckoned the staple branch of industry carried on in Scotland. But such were the narrow limits within which it was confined, that at the period of the Union, in 1707, its total product is not supposed to have exceeded 1,500,000 yards a year. In 1727 a board of trustees was established for the superintendence and improvement of the manufacture. It is not easy to suppose that the institution of this board could, of itself, be of any material service; but considerable bounties and premiums being, at the same time, given on the production and exportation of linen, the manufacture went on increasing; the quantity stamped for sale in 1750 having amounted to 7,572,000 yards; and, at the end of last century, to about 20,000,000 yards. Still, however, the manufacture did not increase so fast as cotton, and some others which have not received any adventitious support, until machinery began to be extensively employed in spinning, &c.; so that it is very doubtful whether the influence of the bounty has been so great as it would, at first sight, appear to have been. The regulations as to the inspection and stamping of the linen intended for exportation, after having been long objected to by those concerned, were abolished in 1822 : and the bounties ceased in 1830. We subjoin

An Account of the Quantity and Value of the Linen Cloth manufactured and stamped for Sale in Scotland, during the Ten Years ending with 1822; being the latest Period to which it can be made up.

Years.	Yards.	Value.			Average Price per Yard.	Years.	Yards.	Value.			Average Price per Yard.
		£	s.	d.	d.			£	s.	d.	d.
1813	19,799,146¼	977,382	1	7¼	11·8	1818	31,283,100⅛	1,253,528	8	10⅛	9·6
1814	26,126,620½	1,253,574	16	10½	11·5	1819	29,334,428	1,137,923	4	11	9·4
1815	32,056,015½	1,403,766	15	2	10·5	1820	26,259,001¼	1,038,708	18	5½	9·4
1816	26,112,045¼	1,026,674	1	11⅝	9·4	1821	30,478,461½	1,232,038	15	4½	9·7
1817	28,784,967½	1,092,689	2	8½	9·1	1822	36,268,530⅛	1,396,295	19	11½	9·2

This account, which extends as far back as 1728, is not, however, of any use, as affording any certain test of the progress, or total value of the manufacture. The stamp was only affixed to linen on which a bounty was paid; that is, on *linen intended for exportation*. Linen manufactured for home use, or intended for private sale, was not stamped. Since 1822, all the branches of the manufacture have made an astonishing progress.

Dundee is the chief seat of the Scotch, and, indeed, of the British, linen manufacture. The business seems to have been introduced into it early last century; but for a lengthened time it was quite inconsiderable. In 1745, only 74 tons of flax were imported. From that period to 1791, the progress of the manufacture was more rapid; in the latter year, 2,444 tons of flax and 299 tons of hemp being imported, and about 8,000,000 yards of linen, sail-cloth, &c. exported. Previously to this period, all the yarn used in the manufacture was spun upon the common hand-wheel, partly in the town and partly in the adjacent country; but the spinning of yarn by machinery began soon after to be introduced; and the increased facility of production consequent to the erection of flax-mills has been such, that the cost of the yarn, including, of course, the raw material, is now less than the mere expense of spinning amounted to 30 years ago! The result has been the total cessation of hand-spinning in all parts of Scotland, and a wonderful increase of the quantity of yarn produced and of the manufacture. In 1811, 4 spinning-mills had been constructed in Dundee. In 1831, the number was increased to 31, employing 2,065 spinners and 405 flax-dressers, exclusive of several mills erected at Lochee, a suburb of Dundee, and at other places in the vicinity. During the last 4 years, the number of mills has been considerably increased, and several new ones are now in progress. The yarn is generally bleached before it is woven. The goods produced consist of imitation Russia sheeting, Osnaburghs, sail-cloth, cotton and coffee bagging, &c. They are partly woven in Dundee, and partly in the adjacent towns of Arbroath, Forfar, Montrose, &c.; but the business in most of these towns is carried on on account of the manufacturers of Dundee, and by their capital, the goods being all brought to it as to their grand depôt and market. We subjoin an account of the imports of flax, hemp, &c. into Dundee, and of the exports of linen, sail-cloth, &c. from the same, during the 5 years ending 31st of May, 1835.

IMPORTS.

Articles.	1831.	1832.	1833.	1834.	1835.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*
Flax - -	14,007	10,997	16,040	18,096	12,141
Flax, Codilla -	3,907	4,103	2,737	4,868	6,497
Hemp - -	2,179	1,607	2,875	2,453	5,397
Hemp, Codilla -	1,566	1,475	505	748	1,124
Totals -	22,259	18,092	22,157	26,165	25,159

EXPORTS.

Linens.	1831.	1832.	1833.	1834.	1835.
	Pieces.	*Pieces.*	*Pieces.*	*Pieces.*	*Pieces.*
Osnaburghs -	96,957	8,750	100,713	122,191	139,450
Sheetings -	131,660	143,250	148,377	164,730	165,959
Cotton Bagging	65,592	49,036	27,179	30,521	80,158
Sundries -	7,395	13,163	16,793	13,357	12,511
Sail-cloth -	72,268	85,522	81,754	106,677	103,010
Sacking - -	45,893	47,948	57,242	67,749	57,177
Dowlas - -	40,915	68,448	69,774	52,644	46,733
Sundries -	11,550	9,601	13,374	13,048	13,709
Totals -	474,230	428,718	515,206	570,917	618,707

The exports during the year ended 31st of May, 1835, amounted in all to between 60,000,000 and 70,000,000 yards, worth about from 1,550,000*l.* to 1,600,000*l.*, being considerably greater than the entire exports from Ireland.*

The machinery used at Dundee is all moved by steam-power, and there is a considerable deficiency of water. Several projects are now on foot for diverting some of the adjacent streams into or near the town, and there is but little doubt that this signal improvement will speedily be effected.

It is stated, in the returns as to Forfarshire, under the last census, that there are engaged in the linen manufacture, at Dundee, 3,300 males of 20 years of age and upwards; at Arbroath, 1,200; at Forfar, nearly 900; at Kirriemuir, nearly 600; at Brechin, upwards of 400; and at Liff, upwards of 320.

Besides the district of which Dundee is the emporium, embracing the counties of Angus and Perth, with the northern part of Fifeshire and the southern part of Kincardineshire, the manufacture is carried on to a considerable extent in other parts of the country. At Aberdeen are some of the largest flax-mills in the empire; and these, with the businesses of bleaching, weaving, &c., dependent upon them, are supposed to afford employment to about 4,000 persons.

Dunfermline is the principal seat of the manufacture of the finer sorts of linen fabrics; such as fine and common shirting, damasks and table linen, &c. The yarn is spun by machinery, and the weaving is executed by the hand, mostly in the town, but partly in the adjacent towns of Kirkcaldy, Dysart, &c. Within these few years the beauty of the patterns, and the fineness of the goods, have been much improved; and the manufacture much extended. It is stated, in the official returns obtained under the census of 1831, that 2,700 males of 20 years and upwards were employed in the parish of Dunfermline, principally in the weaving of damasks. In the parish of Dysart nearly 700 are employed in various departments of the manufacture. The total number of males, of the above age, employed in the manufacture, in the county of Fife, being about 7,500.

It is believed, that the first articles of the Scotch linen manufacture that made their way to foreign countries were produced in Paisley. But, after attaining, in some departments, to great excellence, the linen trade in that town began gradually to decline, and has been nearly superseded by that of cotton and silk.

* The progress of Dundee has been quite astonishing. There are persons, now living in the town, who farmed the harbour dues at 400*l.* a year: last year they brought 10,416*l.*!

According to the statements furnished by the Factory Inspectors, there were in Scotland, in 1834, 170 flax mills in full operation, employing in all 13,409 hands.

Irish Linen Manufacture.—We have previously noticed the unjustifiable proceedings of the English parliament in 1698, when the two houses addressed William III., stating that it would be for the public advantage were the woollen manufacture of Ireland discouraged, and the linen manufacture established in its stead!—(*Antè*, p. 56.) This recommendation was carried into full effect. The woollen trade, in which the Irish had made some progress, was entirely crushed. But, though it be impossible either to palliate or excuse conduct so illiberal and unjust, it is but fair to say that the parliament of England has always discovered the greatest readiness to encourage the linen manufacture of Ireland, and zealously co-operated with the Irish parliament in that view. All the expensive and cumbrous machinery of premiums, regulations, bounties, and so forth, was put in motion; and, had it been possible to establish a manufacture on a solid foundation by such means, they might have been expected to succeed in this instance. In 1711 a board of trustees was appointed to watch over the progress of the manufacture; to distribute the large sum annually given by parliament for premiums; and to provide for the prevention of frauds in the manufacture, and for other purposes. Under the superintendence of this board, public halls were erected in Dublin, Belfast, and Newry, for the accommodation of the linen factors and others engaged in the trade; regulations were established as to the manufacture and sale of linen, and officers were appointed in different districts to see that these regulations were complied with. A more solid encouragement was given by the granting of bounties on the exportation of Irish linen in 1743. Efforts were also made to encourage the growth of flax seed. And, in imitation of the English policy of making dead bodies be buried in woollen shrouds, the use of linen scarfs and hat-bands at funerals was introduced!

In consequence of this extraordinary encouragement, the linen manufacture was gradually extended, particularly in the northern part of the island. But it may be questioned whether its extension has been advantageous. Mr. Young and Mr. Wakefield, two very high authorities, as to all that respects Ireland, contend that it has been prejudicial rather than otherwise; and we are inclined to think that they are right. It certainly contributed to that morbid increase of population, and that minute division of the land, which are the bane of Ireland, and which are carried to the greatest extent where the manufacture is most diffused. The manufacturers, too, being not only spinners and weavers, but also little farmers, had their attention diverted from their proper business, and were neither sufficiently industrious nor inventive. As might be expected, their earnings were generally very low, and but few amongst them were ever able to emerge to a more elevated sphere.

The introduction of mill spinning has already gone far to effect a total change in the old mode of conducting the manufacture. The low wages of spinners in Ireland, and the system on which the manufacture had been long conducted, hindered the erection of flax mills in that country, many years after they had been extensively introduced into England and Scotland. But the rapid progress of the manufacture in the latter, subsequent to the erection of these mills, made it evident that, unless similar machinery were set in motion in Ireland, the linen manufacture in it would be entirely annihilated. At length, notwithstanding the obstacles in the way, mills were introduced, and, in consequence, spinning by the hand, though it still keeps its ground in some districts, is already nearly unknown in others; and the manufacture has disappeared from several parts of the country where it had been largely introduced, leaving those who had been partially dependent on

it for subsistence in a very depressed state. On the whole, however, there can be no doubt that the gradual introduction of the factory system will be, in the end, most advantageous. Belfast is the principal seat of the new, as it was of the old, system. In October, 1835, 12 flax mills, employing 2,575 hands, were at work in that thriving town, and one in the course of being erected.—(*Private Information.*) According to the official returns, there were in Ireland, in 1834, 25 flax mills, employing in all 3,681 hands.

The regulations relating to the stamping of linen, its sale in the public markets, and most of those that had reference to the details of the manufacture, have been repealed, with advantage to all parties.

Imports of Flax. — Exclusive of the flax raised at home, we import large quantities from foreign countries. Of these, Russia supplies us with by far the largest share. In 1834 we imported in all 811,722 cwts., of which there were brought from Russia 562,815, Prussia 103,940, Holland 81,157, Belgium 39,426, New Holland 4,997, &c.

Exports of Linen from Ireland, &c. — The following table, which we regret the parliamentary accounts do not furnish the means of continuing to the present day, gives an account of the quantity of linens exported from Ireland, from 1800 to 1829, both inclusive; and of the bounty paid on linen exported to foreign parts from Ireland.

Years.	Exported to Great Britain.	Exported to Foreign Parts.	Total.	Amount of Bounty paid in Ireland on Linen exported to Foreign Parts.		
	Yards.	*Yards.*	*Yards.*	£	s.	d.
1800	31,978,039	2,585,829	34,563,868			
1802	33,246,943	2,368,911	35,615,854			
1804	39,837,101	3,303,528	43,140,629	10,545	2	2
1806	35,245,280	3,880,961	39,126,241	15,668	4	6
1808	41,958,719	2,033,367	43,992,086	6,740	16	0
1810	32,584,545	4,313,725	36,898,270	16,448	19	9
1812	33,320,767	2,524,686	35,845,453	11,548	3	4
1814	39,539,443	3,463,783	43,003,226	17,231	14	11
1815	37,986,359	5,496,206	43,482,565	17,430	17	3
1816	42,330,118	3,399,511	45,729,629	12,082	6	4
1817	50,288,842	5,941,733	56,230,575	21,524	15	4¼
1818	44,746,354	6,178,954	50,925,308	28,848	6	2
1819	34,957,396	2,683,855	37,641,251	16,177	8	3½
1820	40,318,270	3,294,948	43,613,218	14,928	9	11
1821	45,519,509	4,011,630	49,531,139	18,218	19	2¾
1822	43,226,710	3,374,993	46,601,703	17,112	9	2
1823	48,066,591	3,169,006	51,235,597	17,765	5	10
1824	46,466,950	3,026,427	49,493,377	17,114	13	10½
1825	52,559,678	2,553,587	55,113,265	12,015	9	6½
1826	The exportation to Great Britain cannot be ascertained for these years, the cross-channel trade having been assimilated by law to a coasting traffic.	2,726,297	- -	10,249	17	9
1827		4,284,566	- -	12,114	0	8
1828		3,214,911	- -	9,494	7	5
1829		2,386,223	- -	6,886	1	11

Of these exports, more than twelve thirteenths have been to Great Britain. The total average export, during the three years ending with 1825, was 51,947,413 yards, of which 49,031,073 came to this country: the exports to all other parts being only 2,916,340. Since 1825, the trade between Ireland and Great Britain has been placed on the footing of a coasting trade, so that linens are exported and imported without any specific entry at the Custom House.

Account of the Quantity and Value of Linen manufactured Goods exported from the United Kingdom in 1833 and 1834; specifying the Countries to which they were exported, and the Quantity and Value sent to each.

Countries.	1833.			1834.		
	Entered by the Yard.		Thread, Tapes, and Small Wares.	Entered by the Yard.		Thread Tapes, and Small Wares.
	Quantities.	Declared Value.	Declared Value.	Quantities.	Declared Value.	Declared Value.
	Yards.	*L.*	*L.*	*Yards.*	*L.*	*L.*
Russia	3,901	306	133	3,010	272	131
Sweden	4,836	226	-	673	37	3
Norway	22,223	653	278	16,985	574	385
Denmark	-	-	-	16,716	774	
Prussia	-	-	-	42	4	
Germany	168,728	8,326	3,271	275,020	14,274	4,209
Holland	70,494	2,452	397	53,932	3,562	1,436
Belgium	59,197	4,288	663	97,459	7,300	1,362
France	183,598	13,055	663	263,961	21,518	1,336
Portugal Proper	1,221,413	29,537	-	1,908,652	51,411	35
Azores	61,196	1,864	-	51,387	1,736	7
Madeira	44,688	1,174	21	60,164	1,552	42
Spain and the Balearic Islands	6,658,296	198,978	1,181	3,677,179	132,330	478
Canaries	106,151	3,187	2	61,448	1,811	14
Gibraltar	910,862	24,990	50	732,695	22,663	114
Italy and the Italian Islands	228,458	16,712	180	366,672	22,525	26
Malta	125,028	7,152	-	45,301	2,125	29
Ionian Islands	18,129	911	55	25,252	1,168	47
Turkey and Continental Greece (exclusive of the Morea)	52,967	2,358	-	42,534	2,135	30
Morea and the Greek Islands	-	-	-	3,583	316	
Egypt (Ports on the Mediterranean)	-	-	-	250	36	
Tripoli, Barbary, & Morocco	10,720	198	-	2,660	140	5
Western Coast of Africa	37,801	1,437	203	88,142	3,459	135
Cape of Good Hope	159,752	7,126	-	242,226	8,046	960
St. Helena	5,865	321	10	10,374	453	
Isle of Bourbon	-	-	-	4,250	220	
Mauritius	71,539	3,893	206	66,769	3,609	115
East India Company's Territories and Ceylon	591,728	27,465	53	400,690	16,921	317
China				1,388	60	
Sumatra and Java	101,885	3,570	-	148,396	6,572	
Philippine Islands	-	-	-	2,128	100	
New South Wales, Van Diemen's Land, and Swan River	776,551	25,605	893	1,026,546	35,525	1,270
British North American Colonies	2,339,778	88,628	8,001	1,452,442	61,224	8,358
British West Indies	10,734,860	319,121	4,281	10,510,954	329,726	5,269
Hayti	3,268,592	90,320	544	3,461,916	87,278	219
Cuba and other Foreign West Indies	1,001,538	37,571	5,322	2,549,078	74,924	5,246
United States of America	21,227,307	790,285	40,535	25,810,656	997,682	50,062
Mexico	1,693,092	61,614	-	1,456,317	65,212	148
Guatemala	21,900	1,030	-	32,835	1,440	
Columbia	861,149	19,263	-	1,755,420	39,113	100
Brazil	7,527,781	187,581	2,075	6,976,588	181,777	1,911
States of the Rio de la Plata	509,528	21,690	327	1,487,576	43,919	1,073
Chili	1,063,992	37,626	107	1,497,411	60,901	
Peru	974,961	41,408	138	905,772	34,383	28
Isles of Guernsey, Jersey, Alderney, and Man	246,045	15,332	162	240,736	17,181	525
Total	63,232,509	2,097,273	69,751	67,834,305	2,357,991	85,355

Bounties.—Besides premiums and encouragements of various kinds, bounties were granted on the exportation of linen for a very long period, down to 1830. In 1829, for example, notwithstanding it had then been very much reduced, the bounty amounted to about 300,000*l.*, or to nearly *one seventh part* of the entire real or declared value of the linen exported that year! It is not easy to imagine a greater abuse. A bounty of this sort, instead of promoting the manufacture, rendered those engaged in it comparatively indifferent to improvements: and though it had been otherwise, what is to be thought of the policy of persisting for about a century in supplying the foreigner with linens for less than they cost? We have not the least doubt that were the various sums, expended in well-meant but useless attempts to force this manufacture, added together, with their accumulations at simple interest merely, they would be found sufficient to yield an annual revenue little, if at all, inferior to the entire value of the linens we now send abroad. And, after all, the business never began to do any real good, or to take firm root, till the manufacture ceased to be a domestic one, and was carried on principally in mills, and by the aid of machinery,—a change which the old forcing system tended to counteract. The only real and effectual legislative

encouragement the manufacture has ever met with has been the reduction of the duties on flax and hemp, and the relinquishing of the absurd attempts to force their growth at home. — (*M'Culloch's Commercial Dictionary, art.* LINEN.)

Value of the Manufacture. — Number of Persons employed. — There are no means by which to form an accurate estimate of the entire value of the linen manufacture of Great Britain and Ireland. Dr. Colquhoun estimated it at 15,000,000*l.*; but there cannot be the shadow of a doubt that this is an absurd exaggeration. In the first edition of the *Commercial Dictionary*, we expressed our conviction that it could not be valued at more than 10,000,000*l.*; but further investigation has satisfied us that even this estimate was beyond the mark, and that the entire produce of the manufacture in the United Kingdom does not exceed 8,000,000*l.** Some very intelligent individuals, largely engaged in the trade, do not estimate it at so much; and we feel pretty confident that this sum, if not much beyond, is at all events not within the mark. Now, if we set aside a third part of this sum for the value of the raw material, and 25 per cent. for profits, wages of superintendence, wear and tear of capital, coal, &c., we shall have 3,334,000*l.* to be divided as wages among those employed in the manufacture. And, supposing each individual to earn, at an average, 18*l.* a year, the total number employed would be about 185,000. It may be thought, perhaps, that 18*l.* is too low an estimate for wages; and such, no doubt, would be the case, were not Ireland taken into the average. But as a great many persons are there employed in the manufacture at very low wages, we believe that 18*l.* is not very far from the mean rate.†

Proportion of Males and Females employed, Wages, &c. — It appears from the subjoined tables, drawn up by Dr. Mitchell, from returns obtained by the Commissioners of Factory Inquiry, that the proportion of males employed in the flax mills at Leeds is to females as 1 to 1½, or as 2 to 3, while in Scotland the proportion is as 2 to 5. As was to be anticipated, wages are considerably higher in Leeds than in Scotland.

Tables specifying the Number of Males and the Number of Females, classified according to their Ages, employed in certain Flax Mills at Leeds and at Dundee, with the rates of Wages paid to each class of individuals in each place.

Leeds.					Dundee.				
	Males.		Females.			Males.		Females.	
Age.	Number Employed.	Average Weekly Wages.	Number Employed.	Average Weekly Wages.	Age.	Number Employed.	Average Weekly Wages.	Number Employed.	Average Weekly Wages.
		s. d.		*s. d.*			*s. d.*		*s. d.*
Below 11	54	2 10½	45	2 9½	Below 11	148	2 9½	178	2 1
From 11 to 16	416	4 1	634	4 0	From 11 to 16	776	3 10½	1,433	3 10½
— 16 - 21	134	9 11½	696	5 9½	— 16 - 21	216	7 6	1,742	5 6½
— 21 - 26	70	17 1½	184	6 4½	— 21 - 26	121	13 6½	918	6 0½
— 26 - 31	74	19 1	57	6 2	— 26 - 31	156	14 7	440	5 7½
— 31 - 36	53	19 2½	14	6 2½	— 31 - 36	148	15 5½	144	5 4½
— 36 - 41	66	18 2	9	6 3	— 36 - 41	131	14 5½	145	5 2½
— 41 - 46	64	19 5½	6	6 0	— 41 - 46	115	14 2	52	5 1½
— 46 - 51	37	19 7½	4	6 2	— 46 - 51	102	13 10½	36	5 9½
— 51 - 56	35	18 5½	1	6 0	— 51 - 56	51	14 5½	31	6 0
— 56 - 61	22	17 7	2	6 0	— 56 - 61	48	15 11½	14	6 8
— 61 - 66	8	14 9			— 61 - 66	22	9 1½	5	4 5½
— 66 - 71	11	13 6½			— 66 - 71	13	8 10½	6	3 11
— 71 - 76	6	16 1½			— 71 - 76	4	10 4	1	4 6
— 76 - 81	2	10 0			— 76 - 81	2	8 1½	1	5 0
					— 81 - 86				
	1,032		1,552			2,053		5,146	

* Sir F. M. Eden estimated the entire value of the linen produced in Great Britain, in 1800, at 2,000,000*l.* — (*Treatise on Insurance*, p. 76.)

† A vast number of persons in Ireland are only partially engaged in the manufacture; but we suppose the 185,000 individuals to be constantly engaged in it.

Health of People employed in Flax Mills. — It appears to be the concurrent opinion of Messrs. Stuart, Drinkwater, and Power, Factory Commissioners, that employment in flax mills is, speaking generally, more injurious to the health than in any other class of factories. We have little doubt that this conclusion is well founded. The heckling department, in which children are largely employed, requires constant attention on their part, and also pretty considerable exertion. A great deal of dust is, at the same time, always flying about, which cannot fail to be very prejudicial to the health. In the spinning department the roving, out of which the thread is formed, is made to pass through either hot or cold water; and there is, in consequence, a continual spray from the yarn and the machinery, which is not long in wetting the clothes to the skin. Perhaps the best way to avoid the serious injury arising from this cause would be the use of waterproof aprons. These have, indeed, been already introduced into one or two mills, and found to answer exceedingly well.

Sect. V. *Silk Manufacture.*

The silk manufacture seems to have been introduced into England so early as the 14th century. The throwsters of the metropolis where formed into a fellowship in 1562; but they were not incorporated till 1629. It is stated in the preamble to a statute passed in 1666 (13 & 14 Charles 2. c. 15), that there were then no fewer than 40,000 individuals engaged in the trade! We incline, however, to think that there is no little exaggeration in this statement; and we refer to it only as showing that the manufacture was then firmly established, and of considerable importance. It received a powerful stimulus by the immigration of Protestants from France, subsequently to the revocation of the Edict of Nantes, in 1685. Unluckily, however, an end was soon after put to the importation of foreign silks, which had previously been carried on to a considerable extent. This prohibition had the effect that might have been anticipated: the manufacturers trusted in future rather to custom-house regulations than to their own skill and ingenuity for the disposal of their goods; routine usurped the place of invention; and from this distant period down to the adoption of the new system, in 1825, but few improvements were made in the processes.

In 1719, the first mill for throwing silk was erected at Derby, by the famous Sir Thomas Lombe, who had made himself acquainted with the mechanism in Italy, and who, at the expiration of his patent, received a parliamentary reward of 14,000*l.* in consideration of his great public services. But it is more than doubtful whether the construction of this mill was of any advantage to the manufacture, inasmuch as exorbitant duties were imposed on foreign-thrown silk, in order to bolster up the new business at home.

For more than a century from this period, the history of the silk manufacture presents little else than a continuous series of complaints on the part of the manufacturers of the decay of their trade, arising from the clandestine importation of foreign silks, and of impotent efforts on the part of government to effect their exclusion. In consequence of this miserable system, the energies of the manufacturer were paralysed; and, notwithstanding the astonishing progress in all other manufactures, and our superiority in all other sorts of machinery, such is the deadening influence of monopoly, that the machinery we employed in the silk trade in 1825 was most decidedly inferior to that of either France or Germany; which, indeed, were superior to us not in this only, but in every department of the trade.

Mr. Huskisson had sagacity to perceive the cause of this inferiority, and courage to undertake the introduction of a new system. This was accomplished in 1825, by reducing the duties on raw silk to a nearly nominal amount, and materially diminishing those on thrown or organzine silk; while,

at the same time, the prohibition against importing foreign silk goods was repealed, and they were allowed to be freely imported on paying an *ad valorem* duty of 30 per cent. This change of system was violently opposed; and many predicted that it would occasion the ruin of the manufacture. But these sinister auguries have been proved to be wholly fallacious. The measure, in fact, has been signally successful. The manufacturers, feeling they could no longer depend on the wretched resource of custom-house regulations, put forth all their energies; and, having called the various resources of science and of ingenuity to their aid, the manufacture has been more improved and extended during the last ten years than it had been during the previous century; and we now export several descriptions of silk goods, even to France herself!

Value of the Manufacture. — People employed, &c. — From the many difficulties in the way of arriving at any thing like a correct conclusion as to the value of our silk manufacture, chiefly arising from the numerous articles into which silk enters, either in whole or as a component part, and also from being so widely spread over the United Kingdom, any estimate which may be formed upon the subject cannot be more than a rude approximation. To distribute the material among the different branches of the trade, to apportion the value of the manufacture under the heads of *labour, wear and tear, interest on capital, &c., and manufacturers' profit*, and to estimate *the number of persons employed*, seems, therefore, almost a hopeless task; but the accompanying table is, notwithstanding, submitted to the reader: it has been drawn up with great care from the statements of intelligent practical men in all parts of the country conversant with the trade, and well able to form an opinion upon it. We believe that it approximates as closely to correctness as can be expected in an inquiry of this kind.

Estimate of the total Value of the Silk Manufacture of Great Britain (entire and mixed) for 1834, showing the different Items of which the same is made up, the Number of Persons employed, &c.

Branches.	Estimated Weight of Raw Silk consumed.	Cost to Manufacturer, including Throwing and Waste.	Cost of Dyeing.	Estimated Amount paid for winding, warping, weaving, printing, finishing, &c.	Estimated Number of Persons employed.	Interest on Capital, Wear and Tear of Machinery, Risk, incidental Charges, and Manufacturer's Profit.	Estimated Total Value.
	lbs.	*L.*	*L.*	*L.*	*No.*	*L.*	*L.*
Broad silks	1,800,000	1,845,000	135,000	1,156,500	55,603	627,300	3,765,800
Ribbons	750,000	768,750	56,250	527,500	27,765	280,500	1,683,000
Handkerchiefs	350,000	262,500	26,250	202,125	9,718	98,175	589,050
Crapes	160,000	140,833	12,000	76,417	7,350	80,238	309,488
Silk hose and gloves	180,000	162,000	16,000	139,000	6,683	47,550	364,550
Sewing silks	200,000	152,000	15,000	41,000	1,970	41,600	249,600
Mixed goods	800,000	600,000	60,000	900,000	49,452	936,000	2,496,000
Miscellaneous	100,000	95,958	7,500	304,374	16,726	243,500	649,332
	4,340,000	4,025,041	328,000				
Deduct from dyeing one third for labour at 10*s.* per week, and one third for profit, &c.			218,666	109,333	4,205	109,333	
			109,334	3,506,249	179,472	2,464,196	10,104,820
From the government returns just published, there appear to be employed in silk factories 10,188 males and 20,494 females, from which deduct for crapes 1,350 persons, and sewings 1,500 persons, engaged in throwing							
Producing, at 3*s.* per week average wages				217,090	27,832	161,335	378,425
Total amount paid for wages				3,723,339			
Total number employed					207,304		
Interest on capital, wear and tear, profit, &c.						2,625,531	
Estimated total value							10,483,245
Estimated silk consumed	4,340,000						
Deduct Italian thrown	195,750						
	4,144,250 lbs.						
Total value of throwing, at 2*s.* per lb.	414,425*l.*						

Broad Silks. — Under this denomination is comprehended all manufactured goods of entire silk *sold by the yard*, viz. gauzes, Persians, sarsnets, gros de Naples, satins, velvets, damasks, and in general all broad silks, plain or figured, manufactured at Spitalfields, Manchester, Macclesfield, Glasgow, Paisley, Dublin, and all other places in the United Kingdom.

It is believed that in this branch nearly a half of the whole imported silk is consumed; and that the gross value of the trade may be thus estimated: —

	£
Spitalfields	1,800,000
Manchester	1,500,000
All other places	500,000

From a series of shipments in spring 1835, it appears that in a gross total of 2,273 lbs. (almost exclusively gros de Naples), taken at the first cost, or manufacturer's price, the average value per lb. was 40*s.* Velvets at the same period in a weight of 132½ lbs. of inferior qualities showed an average value of 58*s.* 4*d.*; while gauzes produced 212*s.* per lb. The proportion of the two last classes of goods is small compared with the first; but by far the greater proportion of manufactured silks exported *are low-priced and inferior goods*, considerably under the average of silks usually in demand for home consumption. It may fairly be presumed that the value of the whole broad silks manufactured would show an average of from 48*s.* to 50*s.* per lb. The richer qualities of plain and figured silks, satins, velvets, &c. (principally sold among the higher classes) are *not exported at all*, the drawback of 3*s.* 6*d.* per lb. offering the greater inducement to the exporter in proportion as the value of the goods is small. At an average of 49*s.* per lb., and making allowance for the loss of weight incurred in boiling, the value of this branch is about the amount estimated.

The average of 20*s.* 6*d.* per lb. as the price of thrown silk, in 1834, is taken with respect to Bengal, China, Turkey, Persia, and Italian raw. The average of the whole thrown silk for that year was 18*s.* 9½*d.*; but in this particular branch of the trade, Italian thrown and foreign and home waste are excluded, the proportions used of these kinds being comparatively small.

There are no means of arriving at a satisfactory estimate of the loss incurred in weight by boiling, preparatory to dyeing the silk. It is said that the material loses 25 per cent. of its weight by that process; but this loss is to a certain extent compensated by the additional weight received by dyeing. In light colours that addition is comparatively small; but in blacks and heavy colours it is sometimes even equal to the weight lost in boiling. On dark colours generally, it is believed that at an average the deficiency may be compensated within 7½ per cent. of the original weight of the silk; but when it is considered that a certain portion of the material is not boiled at all, and that a practice is often resorted to to give an undue weight to the manufactured silk by prepared dyes, the average of 15 per cent. loss is believed to be nearly correct.

The cost of dyeing has been variously estimated, but it is supposed that 1*s.* 6*d.* per lb. is a fair average price. — (See Comparative Lists of Prices of Dyeing in England and France, *Silk Report*, p. 300.)

From the evidence of several manufacturers before the Select Committee on the Silk Trade, it appears that the labour amounts to about 70 per cent. on the thrown silk. Assuming this estimate to be correct, and that the average wages of the individuals employed as winders, warpers, weavers, &c. &c. may amount to 8*s.* per week, there would appear to be 55,000 persons *directly engaged* in this branch. This average is taken subject to all deductions, and is believed to be nearly the truth. Some few weavers may earn 20*s.* and upwards per week (but the average of whose wages in 1831 was 9*s.* 9*d.* in Spitalfields — see *Ballance's Evidence*); the winders, however, being principally children or females, derive but a small pittance (from 2*s.* to 3*s.*) for their labour, and form, perhaps, one-eighth of the whole number employed.

The amount estimated of 20 per cent. to cover the interest on capital employed, wear and tear of machinery, incidental charges, risk, and manufacturers' profit, may be liable to some question — but a point of this delicate nature must at least be matter of opinion. From the great competition which exists in the trade, there is

considerable doubt whether this can be realised; and it is therefore assumed, rather as a compensation which the manufacturer *ought at least to receive*, than as indicating any fixed or certain remuneration. There is too much reason to fear (from the number who have left the trade) that the manufacturers are content with a much less per-centage on their outlay. The trade being much divided, and in many instances, particularly in Spitalfields, in the hands of small manufacturers, reduced profits are the necessary consequence of increased competition; and under such circumstances it is evident that he who produces the greatest quantity is the most successful competitor, and smaller manufacturers (whose expences, risks, &c. are greater in proportion) must submit to the powerful influence which is opposed to them. This is augmented also by the rivalry which exists between the two great manufacturing districts of Spitalfields and Manchester. In Scotland and Ireland the broad silks produced (except gauzes, which are chiefly manufactured at Paisley and Glasgow for the English markets) are in general carried off by the demand in these places. The competition of the English markets at present presses upon the yet infant manufacture of Scotland in broad silks; but the manufacture there would seem to be on the advance.

Ribbons. — The consumption of silk in the ribbon trade has been estimated at 600,000 lbs. for Coventry and its neighbourhood alone; but a large amount is manufactured at Congleton, Macclesfield, Leek, Derby, Spitalfields, and other places, consisting of black sarsnets, galloons, doubles, and Italians (almost wholly by power) which is estimated to consume about, perhaps, 150,000 lbs. more. This estimate is adopted for 1834, but it is believed to be rather under the actual consumption in the ribbon trade at this time, which is supposed to be 800,000 lbs. at least.

The price per lb. of the silk, loss by boiling, and expence of dyeing are taken at the same rates as in broad silks; but it must be considered that on a very great proportion of the weight set aside for galloons, &c., no loss whatever is sustained, as the silk does not undergo the process of boiling, an addition of 12½ per cent. being even added in some articles to the weight by dyeing. The quantity of light colours, however, in the fancy trade, and the loss of weight incurred by clipping gauzes, cuttings, &c. may bring the actual deficiency in weight manufactured to about the amount estimated.

With respect to the amount paid for labour, several most competent witnesses agree in estimating it at about 70 per cent. on the dyed silk (see evidence of Messrs. Brunskill and R. S. Cox). With the exception of galloons, &c., which are woven by power, the amount of labour in fancy goods of this kind forms a great proportion of their value; but much difference of opinion prevails as to the average amount of wages earned by the operatives engaged, which vary from 5*s.* to 30*s.* per week. There is also a considerable difference between what *is* earned and what *could* be earned if greater industry were used by the operatives themselves; for as it is customary for the work-people to work in their own houses, there is not the same means of compelling industry as in those places where the operatives are engaged in factories. To this cause, perhaps, more than any other, is to be attributed the distress which has hitherto prevailed among the people employed in this and the broad silk trade. Looking at the number of women and children employed as winders, &c. (forming, perhaps, one-sixth of the whole), and the small wages paid to them, and also that the wages of the hand-loom weavers, who form by far the greater proportion of the number engaged, are likewise very trifling (the larger wages being paid only in fancy gauzes, and goods in which much taste is displayed in the pattern), the average of 8*s.* per week in the ribbon trade may be considered even an ample estimate.

The amount of the trade, estimated with reference to the weight consumed, shows an average value of about 50*s.* per lb., which is believed to be about correct, looking at the low value of galloons and plain sarsnets on the one hand, and the high value of fancy gauze ribbons on the other.

There are few ribbons of British manufacture made out of England. They were formerly made to a considerable extent in Dublin, but the manufacture there is now nearly, if not quite extinct.

Handkerchiefs. — This branch embraces Bandanas, plain and figured Barcelonas, and fancy and gauze handkerchiefs of entire silk. The bulk of the silk employed

is consumed at Manchester and Macclesfield, in the manufacture of Bandanas and Barcelonas; the remainder at Paisley, Glasgow, and elsewhere, in the manufacture of gauze and fancy handkerchiefs. It is difficult to fix on an average price for the material in the goods under this head, as a great many Bandanas (particularly in 1834) were manufactured from spun silk for the advantage of claiming the drawback of 3*s.* 6*d.* allowed on exportation, the amount of which, in many instances, realised a large per-centage on the manufactured value. On the opening of the trade in 1826, a great stimulus was given to the manufacture of low silk goods generally, and these in particular, owing to the drawback allowed on all manufactured silk goods above the value of 14*s.* per lb., a certificate or debenture for a corresponding weight of Italian organzine thrown silk imported, being produced to entitle the exporter to this advantage; and many Bandanas were, in consequence, made of so inferior a silk as barely to exceed the manufactured value required by the act. This trade was also promoted by the low price of debenture certificate, which in the first instance was to be obtained at 1*d.* and 2*d.* per lb.; but the demand for debenture increasing in consequence of the large quantity of low manufactured silks bought for exportation, the price speedily advanced: in 1834 it was selling at 1*s.* 3*d.* per lb., and its present price is 2*s.* 7*d.*, with every prospect of a further increase. The inducement, therefore, to export these low goods has, to a great extent, ceased; and the manufacture of them has consequently been much reduced. The low prices also at which India Bandanas could be purchased in the market, sensibly interfered with this manufacture, and has led to the production of higher qualities and more tasteful patterns in order to meet this competition. On the other hand, the manufacture of fancy and gauze handkerchiefs may have increased; but the proportion of silk used in the latter is but small compared with its value. It is believed that an average of 15*s.* per lb. is ample, considering the various qualities of the different articles under this head, and the large proportion which Bandanas bear to the whole.

The amount of labour and weekly wages are taken at the rate of 70 per cent. as in the two leading branches of the manufacture. The expence of winding, warping, weaving, &c. is certainly less in the heavier class of handkerchiefs, but there are many extra considerations (block-cutting, printing, &c.) which enter into the calculation; and in the manufacture of the lighter or more fancy class of goods the labour is at least cent. per cent.

Wages, wear and tear, &c. may be considered about the same as in the preceding branches.

Crapes. — Individuals well acquainted with this trade believe that the average production does not exceed 1,200 packets weekly; that each packet of crape does not contain, at an average, more than 2½ lbs. of silk (exclusive of dressing), and that the average value when manufactured may be about 5*l.* per packet. Supposing this estimate to be about correct, and allowing an additional weight of 4,000 lbs. for crape handkerchiefs, the whole silk consumed would appear to be about 160,000 lbs., taken at the average of Bengal, China, and Italian raw silk for 1834 (17*s.* 7¼*d.*). The average price of raw instead of thrown is taken, because in this trade the manufacturers in general throw their own silk, and the waste is considered as compensated by the dye, the bulk of the goods being black. The manufacture is established at various places in Norfolk, Suffolk, Essex, Somerset, &c., and at Ponder's End, in Middlesex. Many of the crapes are woven by power, which occasions a reduction in the price of labour. In this branch, labour is estimated at 50 per cent. on the value of the raw silk, and wages at 4*s.* per week (see Mr. Grout's Evidence, in *Silk Report*), which would give, including throwing, 7,350 persons, regularly employed. Owing to the decrease which has taken place in this trade, this number is much less than were employed some years since. The capital vested in throwing mills and power and hand looms is also so large in proportion to the amount produced, that although the expence of labour is less, the interest on capital and wear and tear of machinery is much greater than in the other branches; and in forming an estimate of the per-centage necessary to cover this, both in throwing and weaving, craping and dressing, and to afford an adequate profit to the manufacturer, it may be fairly assumed at 35 per cent. on the cost of the raw material and labour expended.

Silk Hose and Gloves. — From an estimate of the *present* value of this trade it

would appear that an extraordinary increase has recently taken place; and it is also gratifying to find that wages have experienced a corresponding advance. There is no doubt, that during the last year the demand for these goods very considerably increased, and occasioned many of the cotton frames to be employed in the manufacture of silk hose and gloves. In the opinion of several large and intelligent manufacturers the present state of the trade would appear to be as under: —

The estimated weight of raw silk used - -	5,000 lbs. per week.
value of ditto - - - -	4,500*l.*
number of individuals employed -	15,000
average wages of ditto - -	11*s.*
value of the goods when manufactured	12,000*l.*

This estimate would show the annual weight of raw silk consumed 260,000 lbs.— its value, 234,000*l.* — labour, 429,000*l.*, and the total value, 624,000*l.*; but there is reason to think that the amount of labour is overstated, and also the number of hands said to be employed. So wide a disparity appears between this and Mr. Felkin's estimate of the hosiery trade in 1833, that a question arises as to the value of the trade in 1834. By Mr. Felkin's statement it appears, that in 1833 there were used 140,000 lbs. of raw silk, which when thrown was valued at 120,000*l.*; the wages for making which were 108,000*l.*; expence of finishing 13,000*l.*; total value of silk hose and gloves manufactured (exclusive of the manufacturer's profit, &c. 241,000*l.* At that period an industrious workman's wages were about 10*s.* per week (subject to all deductions). Assuming that in 1834 a certain advance had taken place upon Mr. Felkin's estimate, although not to the extent which the present state of the trade would exhibit; the estimate in the table is believed to be as near a view as can be arrived at for that year. The difference appears in the quantity of silk consumed, the number of hands employed, and the average weekly wages. Looking at the number of women and children employed as winders, seamers, &c. (whose wages are very low) it is believed that 8*s.* per week is a fair average, which shows only 6,683 persons regularly employed at that period. The amount paid for labour, finishing, &c., is taken in proportion to Mr. Felkin's estimate.

Sewing Silks. — This properly falls to be considered as part of the trade of silk-throwing, but is placed in this table as accounting for a certain portion of the raw material which is consumed in a branch of the trade distinct from weaving, estimating the cost, labour, &c. on the principle of the following estimate, which is derived from the best sources of information, and may be considered as exhibiting the present state of the trade. The wages assigned in the Table are above the average of throwing generally, and particularly looking at the number of children employed, may be liable to some question; but it would appear that they carry a higher average at this time; and it is understood that an advance has lately taken place.

The estimated weight of raw silk used - -	5,000 lbs. per week.
number of individuals employed -	2,500
value of the raw silk - - -	3,800*l.*
average wages of the hands -	8*s.* 6*d.*
value of manufactured sewings -	5,200*l.*

The interest on capital invested in machinery, and wear and tear, would justify the amount placed under this head.

Mixed Goods. — Under this head are comprehended all the varieties of manufacture in which silk forms a component part. The weight assigned would appear excessive, but looking at the extent and variety of the different fabrics, both in silk and cotton, and silk and worsted, besides the quantity which must be used in the manufacture of men's hats, the estimate will be found, on examination, to be rather under than over the mark. The manufacture of silk and worsted goods (bombasins, Norwich crapes, crepe de Lyon, &c. &c.) is established chiefly at Norwich; but the mixed manufactures generally, and particularly of silk and cotton, are spread over the whole kingdom. At Manchester and Paisley they are chiefly established, but are also pursued to some extent in Dublin, in the manufacture of poplins. In shawls alone, although the silk bears a small proportion to the manufactured article,

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a considerable weight must be consumed. In the opinion of a large and most intelligent manufacturer, it is believed that not less than 480,000 lbs. (including shawls of entire silk, which are few compared with the whole) is consumed in that manufacture at the present moment; and that not less than 20,000 persons (weavers, drawboys, winders, sewers, cutters, warpers, designers, &c.) are employed, earning from 5*s.* to 10*s.* per week. That trade is principally established at Paisley; but it is also pursued at Edinburgh (in higher qualities), and at Norwich to some extent. There is, perhaps, none among all our manufactures which presents a better field for the display of taste, or is better calculated for the division and remuneration of labour than this article. The French have cultivated this trade to a greater extent than has been done, until lately, in this country; and the superiority of their patterns gave them an ascendency which the British shawls are only now beginning to dispute. On the opening of the trade, and for some years afterwards, it was apprehended by some of our most extensive shawl manufacturers, that the competition with French shawls in the home market would be ruinous to our trade, and they petitioned government to prohibit their importation. Fortunately for themselves, their demand was not acceded to; and they now generally acknowledge, that French competition, by compelling an improvement in the patterns and style of the goods, has effected more towards the extension of the shawl trade, than even the most ardent imagination could have hoped for in so short a space of time. French patterns being immediately copied here, our manufacturers are now enabled to send into the market at a much lower price, shawls of home manufacture not only *in imitation* of the French, and not to be distinguished from them, but of native designs in no way inferior. And it would seem, that in this branch we have arrived at that point, where the question arrises — who shall supply the markets of Europe? Our manufacturers must still improve their patterns, particularly as respects the contrast of colours: if schools of design were established in Paisley with this view, — and a public exhibition of patterns were set on foot by the manufacturers, it would be productive of great service, by creating emulation, in an article so particularly influenced by taste, and lead to a superiority in this manufacture, not likely to be endangered by the rivalry of our neighbours.

The varieties of mixed manufactures are so exceedingly numerous, that it would be vain to recapitulate them. The estimate, however, is formed *relating to the value of the silk alone*, and must not be considered as exhibiting, with any degree of accuracy, the ultimate amount of these manufactures, which there can be no doubt greatly exceed the total value estimated. Taking the small proportion which the silk bears to the whole, the value of labour may be fairly assumed, *relatively to the silk*, at 150 per cent., and the interest on capital, profit, &c. at 60 per cent. From the low rate of wages paid in many of the principal branches of the mixed manufactures, a higher estimate cannot be assigned than 7*s.* per week, looking at the great number of women and children who are employed. The silk used in the manufacture of many articles of small wares, men's hats, &c., is included in this and the following branch.

All other Articles entire or mixed.— There is a great variety of small trades in which silk is used, but where the value of the material bears a very small proportion to the value of the article produced. This particularly applies to the fabrication and embroidery of Blond lace, and other embroidered goods of different descriptions; to the manufacture of trimmings, braids, fringes, bell-pulls, and many articles of upholstery. The labour is estimated at 300 per cent. on the value of the silk; but the wages paid (and in none more particularly than in the embroidery of lace) are exceedingly small; the employment under this head generally being, to a great extent, in the hands of women and girls. It is believed that the average of 7*s.* per week may be even an excessive estimate, taking into consideration the class of persons employed. The profits also are larger in proportion, and may be safely taken at 60 per cent., relatively to the silk and labour expended.

The foregoing table (taking the average estimate of wages to be correct) would show 207,304 individuals regularly engaged in the silk manufacture in all its branches; exclusive of builders, mechanists, carpenters, handicraftsmen, and labourers of all descriptions; and also of the great number of persons who are dependent on those directly employed for their subsistence. But this is merely the productive part of the trade, and may be viewed as bringing the manufacture only half way to the hands

of the public. At this stage it is taken up by another class, perhaps equally large, who derive their subsistence by bringing the goods to the point of consumption, viz., the wholesale and retail dealers, their clerks, warehousemen, shopmen, packers, and porters; the tailors, dressmakers, and milliners, and the vast multitude of females employed in that business: the great variety of trades, scarcely possible to enumerate, which are more or less mixed up with the consumption of silk, either raw, thrown, or manufactured — the carriers and their servants employed in transporting the goods to and from the places where they are manufactured, and afterwards to where they are required for consumption — the merchants, agents, brokers, and others interested in the export of the goods, and the innumerable persons who receive employment and subsistence therefrom. To take into consideration the mass of individuals who thus directly and indirectly draw emolument from this great manufacture, is a subject worthy of contemplation to the curious; but beyond the possibility of all calculation.

Account of the Quantities of Raw Silk and Waste imported in the 5 Years ending with 1834, specifying the Countries from which the same were imported, and the Quantities brought from each; with a statement of the Exports of Raw, and of the Imports of Thrown Silk.

Countries.	1830.	1831.	1832.	1833.	1834.
	lbs.	lbs.	lbs.	lbs.	lbs.
Russia	3,530	6,811	11,164	16,469	28,811
Sweden	-	-	-	-	348
Germany	-	854	1,581	2,083	2,813
Holland, Belgium	84,171	54,854	126,142	221,921 / 2,752	75,021 / 3,668
France	1,107,257	1,150,584	1,006,433	1,316,257	1,235,104
Portugal, Proper	-	453	422	-	-
Spain and the Balearic Islands	3,414	13,178	13,386	17,587	6,658
— Canaries	-	48	-	15	201
Gibraltar	790	163	623	4	6,406
Italy and the Italian Islands	474,294	526,516	564,156	378,156	403,214
Malta	84	1,390	230	337	718
Ionian Islands	-	-	-	1,350	-
Turkey and Continental Greece (exclusive of the Morea)	463,398	452,266	457,866	368,669	419,368
Morea and Greek Islands	-	-	339	-	2
Egypt (Ports on the Mediterranean)	896	-	1,113	-	288
Cape of Good Hope	-	26,930	8,194	36,056	40,403
St. Helena	45,133	90,148	161,961		
Mauritius	13				
East India Company's Territories and Ceylon	1,691,085	1,635,502	1,652,858	989,618	1,798,637
China	19,198	8,574	38,105	22,181	582,834
Philippine Islands	-	-	-	-	26,335
British West Indies	-	778			
United States of America	11,078	23,734	12,158	61,105	27,236
Total	3,904,341	3,992,593	4,047,731	3,434,560	4,656,463
Exports	59,191	29,975	65,852	66,187	207,007
Imports for Home Consumption	3,865,150	3,962,618	3,983,879	3,368,373	4,449,456
Imports of Thrown Silk	413,839	629,281	177,166	229,119	192,149

Account of the Quantity of the Silk Manufactures of Europe and India imported in 1834 and 1835, the Quantities thereof entered for Consumption, and the Gross Amount of Duty received on the same.

Articles.	Quantities imported.		Quantities entered for Home Consumption.		Gross Amount of Duty received.	
	1834.	1835.	1834.	1835.	1834.	1835.
					£	£
Silk manufactures of Europe, viz. —						
Silk or satin, plain - lb. oz.	67,172 5	59,369 0	57,219 1	51,330 4	31,474	28,225
— figured or brocaded - —	25,857 0	40,197 1	22,837 6	38,044 4	17,105	32,577
Gauze, plain - - —	1,345 13	1,713 11	1,757 7	1,525 1	1,494	1,296
— striped, figured or brocaded - - - —	71,554 9	33,394 2	71,035 6	31,377 2	97,521	43,144
— tissue foulards - - —	658 0	25,773 9	658 0	25,632 13	658	23,569
Crape, plain - - —	4,183 7	3,385 14	3,875 8	3,098 5	3,100	2,479
— figured - - —	121 11	47 15	10 13	23 15	10	21
Velvet, plain - - —	8,001 5	6,659 4	5,742 6	5,921 9	6,317	6,517
— figured - - - —	2,229 1	2,203 1	1,892 15	1,933 13	2,605	2,659
Other sorts - - - -	- -	- -	- -	- -	31,519	28,582
Silk manufactures of India, viz. —						
Bandanas, and other silk handkerchiefs - - pieces	379,696	388,403	104,091	163,981	17,852	26,499
Other sorts - - -	- -	- -	- -	- -	3,379	2,817

Account of the real or declared Value of the Silk Manufactured Goods exported from the United Kingdom during each of the Eight Years ending with 1834, specifying the Countries to which the same were exported, and the Value of those sent to each.

Countries.	1827.	1828.	1829.	1830.	1831.	1832.	1833.	1834.
	L.	L.	L.	L.	L.	L.	L.	L.
Russia	3,156	3,790	2,301	509	497	1,512	1,625	1,424
Sweden	-	35	574	15	191	308	564	357
Norway	150	36	140	462	256	78	215	461
Denmark	396	572	173	61	143	121	255	114
Prussia	10	65	15	-	-	-	35	-
Germany	18,433	11,741	6,652	15,717	12,909	19,376	19,171	21,494
Holland	9,645	6,621	12,875	14,337	5,621	25,782	7,367	21,713
Belgium							27,229	18,240
France	4,661	11,009	32,017	34,808	43,462	75,187	76,525	60,346
Portugal, Proper	7,528	2,635	3,809	5,014	4,466	4,072	8,013	15,145
Azores	181	34	112	-	262	156	699	1,497
Madeira	20	325	123	71	40	270	370	1,194
Spain and the Balearic Islands	6,051	18,595	32,232	30,473	24,353	14,776	17,159	7,861
Canaries	405	371	175	218	260	119	360	114
Gibraltar	7,681	12,448	5,321	4,957	3,980	10,906	10,262	4,291
Italy and the Italian Islands	4,330	3,183	2,986	14,058	7,627	9,108	9,716	3,635
Malta	191	366	225	309	765	1,858	2,307	1,226
Ionian Islands	80	-	150	149	12	61	257	573
Turkey and Continental Greece (exclusive of the Morea)	938	305	359	1,332	2,725	2,626	1,632	1,291
Morea and Greek Islands		-	-	-	-	-	-	338
Egypt (Ports on the Mediterranean)	-	130	80	-	125	40	230	80
Tripoli, Barbary, and Morocco	40	50	-	-	-	-	-	9
Western Coast of Africa	68	616	146	495	465	1,297	897	714
Cape of Good Hope	2,358	1,882	4,619	6,718	8,967	11,080	8,292	10,995
St. Helena	70	28	121	-	22	114	114	292
Isle of Bourbon	-	-	-	-	-	-	-	71
Mauritius	1,181	5,070	1,828	6,602	1,313	2,668	1,610	2,590
East India Company's Territories and Ceylon	10,031	16,693	7,089	5,677	5,271	17,385	20,337	7,535
China	-							271
Sumatra and Java	-	267	695	1,245	500	431	187	60
Philippine Islands	-	-	-	350	-	-	-	22
New South Wales, Van Diemen's Land, and Swan River	5,609	8,403	5,746	8,577	17,075	12,999	22,860	31,035
British North American Colonies	11,711	14,860	16,686	21,613	93,013	90,665	91,501	69,063
British West Indies	13,410	10,106	19,383	28 729	27,308	22,896	35,012	33,424
Hayti	177	830	1,139	1,930	2,446	2,502	2,992	926
Cuba, and other Foreign West Indies	15,908	10,330	8,407	10,456	11,921	14,437	10,365	13,497
United States of America	67,111	46,587	58,695	195,957	237,985	92,235	251,278	200,3 6
Mexico	6,880	4,114	12,577	16,972	13,548	2,151	5,840	5,006
Guatemala	70							
Colombia	2,109	1,752	1,982	1,870	4,403	3,512	1,612	2,264
Brazil	14,100	37,158	10,969	13,748	7,528	12,172	27,783	27,600
States of the Rio de la Plata	2,388	6,391	7,455	10,365	15,519	24,786	11,733	19,274
Chili	12,225	9,574	9,291	4,794	5,615	25,681	27,515	20,635
Peru	7,200	9,894	9,122	8,880	9,333	12,070	22,588	16,989
Isles of Guernsey, Jersey, Alderney, and Man	185	702	1,886	9,484	11,145	13,954	11,941	13,201
Total	236,113	255,871	267,930	521,010	578,374	529,691	737,404	637,198

The following regulations have reference to the children employed in woollen, cotton, and linen, as well as to those employed in silk factories.

Statutory Regulations as to the Employment of Children in Factories. — No statutory restrictions respecting the employment of children in the mills and factories of the United Kingdom existed until the year 1802, when an act of parliament was passed (42 Geo. 3.) for the preservation of the health and morals of apprentices and others employed in cotton and other factories, and directing the magistrates to report whether the factories were conducted according to law, and to adopt such sanatory regulations as they might think fit. This act was followed, in 1816, by an act generally called Sir Robert Peel's Act, imposing various regulations on the employment of children in cotton mills.

Both of these acts were repealed, in 1831, by an act 1 & 2 Will. 4. c. 39., commonly called Sir John Hobhouse's Act, which provided, that in cotton factories, to which alone it related, no child could legally be employed till it had attained the age of 9 years; and that no person under 18 years of age could be suffered to remain in the factories more than 12 hours in one day; and that on Saturdays they should only be employed in the factories for 9 hours.

Sir John Hobhouse's act was repealed, in 1833, by the act 3 & 4 Will. 4. c. 103., which contains the following provisions, comprehending the whole statutory regulations at present applicable to cotton and other factories in the United Kingdom: —

1. That after the 1st of January, 1834, no person under 18 years of age shall be allowed to work in the night; that is, between half-past 8 P. M. and half-past 5 A. M., in any cotton or other factory in which steam or water or any other mechanical power is or shall be used to propel the machinery, excepting in lace factories.

2. That no person under 18 shall be employed more than 12 hours in one day, nor more than 69 hours in one week.

3. That there shall be allowed, in the course of every day, not less than 1½ hour for meals to every person restricted to the performance of 12 hours' work.

4. That after the 1st of January, 1834, no child, except in silk mills, shall be employed who shall not be 9 years old.

5. That after the 1st of March, 1834, no child, except in silk mills, shall be employed in any factory more than 48 hours in any one week, nor more than 9 hours in any day, who shall not be 11 years old; nor after the 1st of March, 1835, who shall not be 12 years old; nor after the 1st of March, 1836, who shall not be 13 years old; and that these hours of work shall not be exceeded, even if the child has worked during the day in more factories than one.

6. That children, and young persons whose hours of work are regulated, shall be entitled to 2 holidays and 8 half-holidays in every year.

7. That children whose hours of work are restricted to 9 hours a day, are not to be employed without obtaining a certificate from a physician or surgeon, certifying that they are of the ordinary strength and appearance of children of the age before mentioned, which certificate is to be countersigned by some inspector or justice.

8. That it shall be lawful for his Majesty to appoint, during pleasure, 4 persons to be inspectors of factories, with extensive powers as magistrates, to examine the children employed in the factories, and to inquire respecting their condition, employment, and education; and that one of the Secretaries of State shall have power, on the application of an inspector, to appoint superintendents to superintend the execution of the act.

9. That those inspectors are to make all rules necessary for the execution of the act, and to enforce the attendance at school, for at least 2 hours daily out of 6 days in the week, of children employed in factories; from whose weekly wages a deduction not exceeding 1 penny in every shilling, for schooling, shall be made.

10. That no child shall be employed who shall not, on Monday of every week, give to the factory master a certificate of his or her attendance at school for the previous week.

11. That the interior walls of every mill shall be whitewashed every year.

12. That a copy or abstract of the act shall be hung up in a conspicuous part of every mill.

13. That the inspectors shall regularly once a year report their proceedings to one of the Secretaries of State.

The act also contains regulations extending the hours of work where time shall be lost by the want of or an excess of water in mills situated upon a stream of water; respecting the steps to be taken in order to obtain regular certificates of age for the children requiring them; respecting the erection of schools where necessary; and respecting the proceedings to be had before inspectors and magistrates for enforcing the act, and the right to appeal from their decisions.

Power Looms. — In a previous section (*antè*, p. 67.), we estimated the number of power looms at present employed in Great Britain at from 110,000 to 120,000. Though without any very precise information to go upon in making this estimate, it has turned out to be very near the mark. An authentic and detailed statement of the number of power looms employed in the different departments of industry has since been drawn up from the Reports of the Factory Inspectors, and printed by order of the House of Commons. The following are its results.

Counties.	Employed in the Manufacture of						
	Cotton.	Woollen.	Worsted.	Silk.	Linen.	Mixed Materials.	Total.
Lancashire	61,176	1,142	-	366			62,684
Cheshire	22,491	8	-	414			22,913
Yorkshire	3,385	801	3,123				7,809
Derbyshire	2,219						2,219
Other English and Welsh counties	754	185		934	41	25	1,929
Scotland	17,531	22	-	-	168		17,721
Ireland	1,416	-	-	-	100		1,516
	109,472	2,158	3,123	1,714	309	25	115,801

Account of the Number of Adults and Children employed in the different Woollen, Cotton, Linen, and Silk Factories in England, Wales, Scotland, and Ireland, classifying them according to their Ages, and exhibiting the Numbers employed in each Department and Country.

Countries.	Number of Factories.		Number and Age of Persons employed.														
			Between 8 and 12 Years.			Between 12 and 13 Years.			Between 13 and 18 Years.			Above 18 Years.			Total Persons		
	At Work.	Empty.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.
Cotton.																	
England	1,070	42	4,030	3,073	7,103	9,196	7,865	17,061	23,974	29,869	53,843	50,675	55,410	104,085	87,875	94,217	181,[illegible]
Wales	5	-	-	-	-	56	33	89	146	208	354	250	158	408	452	599	[illegible]
Scotland	159	-	454	538	992	1,258	1,832	3,090	2,845	7,597	10,442	6,168	12,103	18,271	10,725	22,061	32,[illegible]
Ireland	28	-	44	58	102	153	181	334	286	561	847	960	1,553	2,513	1,630	2,853	4,[illegible]
	1,262	42	4,528	3,669	8,197	10,663	9,911	20,574	27,251	38,235	65,486	58,053	67,824	125,877	100,195	119,730	220,[illegible]
Wool.																	
England	1,102	9	2,317	2,158	4,475	3,936	3,835	7,771	9,497	10,064	19,561	18,613	15,041	33,654	34,363	31,098	65,[illegible]
Wales	85	-	47	29	76	119	61	180	164	101	265	190	66	256	525	257	[illegible]
Scotland	90	-	104	77	181	210	332	542	315	698	1,013	1,083	686	1,769	1,712	1,793	3,[illegible]
Ireland	36	-	13	19	32	25	40	65	162	249	411	674	341	1,015	874	649	1,[illegible]
	1,313	9	2,481	2,283	4,764	4,290	4,268	8,558	10,138	11,112	21,250	20,568	16,134	36,702	37,477	33,797	71,[illegible]
Silk.																	
England	231	25	2,468	3,871	6,329	938	1,674	2,612	2,596	6,546	9,142	4,009	7,855	11,864	10,001	19,946	29,[illegible]
Wales	0																
Scotland	6	-	28	52	80	14	37	51	40	244	284	103	168	271	185	501	[illegible]
Ireland	1	-	-	2	2	-	-	-	-	25	25	2	20	22	2	47	
	238	25	2,486	3,925	6,411	952	1,711	2,663	2,636	6,815	9,451	4,114	8,043	12,157	10,188	20,494	30,[illegible]
Flax.																	
England	152	-	487	434	921	1,048	1,173	2,221	1,929	4,192	6,121	2,551	4,379	6,930	6,015	10,178	16,[illegible]
Wales	0																
Scotland	170	-	104	175	279	609	918	1,527	1,129	3,064	4,193	1,550	5,860	7,410	3,392	10,017	13,[illegible]
Ireland	25	-	1	15	16	125	199	324	399	1,308	1,707	463	1,171	1,634	988	2,693	3,[illegible]
	347	-	592	624	1,216	1,782	2,290	4,072	3,457	8,564	12,021	4,564	11,410	15,974	10,395	22,888	33,[illegible]
Totals of the four Manufactures	3,160	76	10,087	10,501	20,588	17,687	18,180	35,867	43,482	64,726	108,208	87,299	103,411	190,710	158,555	196,518	355,[illegible]
	3,236																

SECT. VI. *Manufacture of Hardware, Watches, Jewellery, &c.*

HARDWARE. — We have given in a previous chapter an account of the extraordinary increase in the production of iron, since 1780. But, as was to be anticipated, the articles of utility, convenience, and ornament formed out of it have increased in an equal degree. In no country in the world is iron, as well as copper and brass, converted to so many purposes as in Britain; and though some countries may vie with us in the production of a few articles of hardware and cutlery, yet, taking the whole range of the manufacture into view, our superiority in it seems to be as decided as in that of cotton; and in nothing, perhaps, is the triumph of art, science, and industry more conspicuous than in the astonishing variety, convenience, beauty, and cheapness of our hardware articles. The manufacture includes every sort of iron-work, from the massive castings of an iron bridge, and the anchors of a first-rate man-of-war, down to the minute and delicate furniture of a lady's work-box. The heavy and coarser articles are principally prepared at the great iron founderies in South Wales, Staffordshire, Colebrooke Dale, and other places it is unnecessary to specify. The production of the finer articles, which comes nearer to what is called a factory business, is principally carried on in Birmingham and Sheffield, — the two grand seats of the hardware manufactory, — and in their vicinity.

We have little, or rather no satisfactory information, as to the origin and early progress of the manufacture at Birmingham. Hutton, the historian of the town, supposes that iron was made in the parish by the Britons or Romans; and appeals, in proof of this hypothesis, to the huge mountain of calx, or cinder, at Aston furnace, on the border of the parish. — (*History of Birmingham*, 4th ed. p. 23.) But, whatever weight may be attached to this,

it is, at all events, certain that our information as to the early modern history of the town is very scanty. It had, however, attained to considerable eminence as a seat of the hardware trade previously to the middle of the sixteenth century; for Leland, who visited it about 1540, describes it in his *Itinerary* as "a good market town;" adding, "There be many smithes in the town that use to make knives and all manner of cutting tools, and many lorimers that make bittes, and a great many naylers; so that a great part of the town is maintained by smithes, who have their iron and sea-coal out of Staffordshire."—(*Hutton*, p. 19.) From this distant epoch the manufacture, though it has sustained some severe checks, has gone on increasing with more or less rapidity, till it has arrived at its present unexampled height of greatness and prosperity.

Its proximity to coal and iron, both of which are found in all but inexhaustible quantities in its immediate vicinity, were, no doubt, the primary causes of the establishment of the hardware manufacture at Birmingham; and, notwithstanding the competition they have had to sustain, the enterprise, skill, and good fortune of the citizens have enabled them to keep the start they had once gained. The town is situated almost in the centre of the kingdom, and is not intersected by any great navigable river. But the obstacles thence arising to the easy transport of articles to and from the town have been obviated by the construction of canals, by which it has a water communication with the great ports of London, Liverpool, Hull, and Bristol. The rail-road now in progress from London to Liverpool passes through Birmingham; and it will, no doubt, become the centre of a considerable rail-road system.

Mr. Stevenson has given the following enumeration — which, however, is far from complete — of the more important, as well as of some of the curious, minute, and almost endless variety of articles made at Birmingham. The manufacture of each is, in general, a separate trade; and the extreme subdivision of employments thence arising accounts, in some measure, for the superior skill of the workmen, and the excellence of the manufacture.

Files, guns, pocket-books, gilt toys and jewellery, watch chains and keys, gun-lock filer, plated goods, fire irons, awl blades, brass-founder, saw and edge tools, lock and latch maker, swords, bits, buttons, snuffers, bone and ivory toys, cut sprigs, die sinker, carriage lamps, harness plater, steel chains, cast nails, thimbles, braces, cabinet cases, inkstands, ferrules, compasses, ivory combs, gun-polisher, spectacles, steel toys, pearl buttons, stamper and piercer, stirrups, packing boxes, japan wares, planes, sword hilts, casting pots, spring latchets, gold-hand manufacturer, paper toys, chaser, saddlers' brass-founder, round bolt and chafing-dish maker; scale-beam, steel-yard, and screw-plate maker; bridle cutter, brass nails and curtain rings, needles, vice maker, clock-dial painter, curry-combs, rule maker, link-buttons, wire-drawer, scabbards, iron spoons, spade-tree maker, fork-maker; looking-glass, toy, and army button maker; paper-box turner, mouse traps, sand-paper, gunstocker, parchment maker, last and boot-tree maker, glass-grinder, anvils, braziers' tools, gun-furniture filer, pendant maker, ring-turner, bellows, gun-finisher, saddle-tree maker, hammers, carpenters' and shoemakers' tools, brass-cock founder, hand-whip mounter, pearl and hair worker, coach-harness forger, button-shank maker, patten-ties, gimblets, tea-urns, medals and coins, copying-machines, pneumatic apparatus, ram-rod and chain maker, gun-case maker, smiths' bellows-pipe maker, coffin nails, curtain rings, glass beads, engine-cutter, scale-beams, wood-screw maker, bright engraver, putty maker, and enamel box maker; horse, dog, and negro collar, fetter, and dog-lock maker; pencil-case maker, glass-stainer, paper-stainer, bone-mould turner, tortoise-shell box and tooth-pick case maker, warming-pans, fishing-tackle, cruet-frames, picture-frames, bayonets, malt-mills, hinges, leather and horn powder-flasks, cork-screws, gun-flints, steel keys and combs, glass buttons, bed and coach-screw maker, umbrella furniture maker, paper-mould maker, button-solderer, paper spectacle-case maker, tin-nail and rivet maker, burnisher of toys, shagreen and morocco-case maker, seal manufacturer, horn-spoons and buttons, line maker, ladies' slippers, stirrup maker,

curb maker, spur and rowel maker, powder-flasks, sticks and rods for angling, sleeve-buttons, clock-hands, brass mouldings, augers, cock-heel maker, candle moulds, tea-pots, case-plate maker, filigree-worker, coach-spring manufacturer, watch key and glass maker, patten-rings, thong maker, varnish maker, dog and cart chain maker, printing-presses, pins, buckle-chaser, jacks, military feathers, barometers, morocco decanters and cruet stands, packing needles, horn lanterns, buckle-ring forger, toy watch-maker, glass eyes for dolls, mortice and rim locksmith, button-card cutter, iron-drawer, gridiron and round bolt maker, spades, dials, gilt ring maker, steel-box, spectacle-case and gun-charger maker, pocket-lock maker, lamp manufacturer, lead toy, stock sinker, glass-house mould maker, casting-mould maker, snuff-boxes, &c.

Of the articles mentioned above, fire-arms are among the most important. Their manufacture has been carried on at Birmingham since the reign of William III., under whose auspices it was introduced. During last war, more than two thirds of the fire-arms required by the Board of Ordnance were produced here; and it appears from the official returns that, in the interval between 1804 and 1818, nearly 5,000,000 fire-arms were furnished on account of government and of the private trade. At the conclusion of hostilities, the cessation of the greater part of this extraordinary demand was productive of much distress and embarrassment. But in no long time industry began to revive; and the workmen, who had been thus suddenly thrown out of employment, were gradually taken into those businesses that have either grown wholly up, or been greatly extended, since 1815. There is a proof-house at Birmingham; and all arms manufactured in the town and its vicinity are required, under a heavy penalty, to be subjected to the test required by the Board of Ordnance: if they stand this they are marked by a stamp, to counterfeit which is felony.

The manufacture of swords may also be regarded as one of the staple trades of Birmingham.

The largest manufactory of steam-engines in the world is that carried on at Soho, in the immediate vicinity of Birmingham. It was established by Mr. Boulton, the partner of Mr. Watt, the great improver of the steam-engine, — a man to whose genius Britain is, probably, as much indebted as to that of any other individual. The engines at present made at Soho, under the superintendance of Mr. Watt's son, maintain their former celebrity: they are in very extensive demand, and the works employ a great number of hands. The establishment at Soho is not, however, restricted to the manufacture of steam-engines. It produces large quantities of vases, candelabras, and other descriptions of goods in bronze and *or moulu*, of the most beautiful workmanship. Plate is also largely produced at this establishment; and here a great part of the copper coinage of the country used to be executed.

Most sorts of cast-iron articles are made at Birmingham; and the beauty of the patterns, the goodness of the workmanship, and, what may seem not very consistent with these qualities, their cheapness, have been wonderfully increased within these few years. There has, in consequence, been a greatly extended demand for them, and a proportional increase of the quantity produced.

Little is known of the early history of the brass manufacture in Birmingham, except that it was introduced about 1748. It has been very greatly improved and extended within the present century. It embraces a vast variety of articles of utility and ornament. Lamps, chandeliers, candlesticks, vases, fenders, fire-screens, handles for locks, door-knockers, &c., are among the most prominent articles.

Exclusive of solid gold and silver plate, of which the quantitity produced is comparatively inconsiderable, large quantities of silver and gold, but especially the former, are used at Birmingham in the plating and gilding of spoons, knives and forks, tea-pots, plates, sugar basins, buttons, chains, thimbles, and

an infinite variety of other articles. The consumption of silver in the various departments here is estimated at about 150,000 oz. a year. — (*Penny Cyclopædia*, art. BIRMINGHAM.) Latterly the plating business has sustained a check, by the substitution for plated goods of articles made of the metallic compound called *albata*. These do not look so well as plated goods, when the latter are new; but they are comparatively durable. All articles that were formerly made of pewter, and most of those that are now made of silver, or which are plated, have their counterpart in Britannia metal. This is a compound of tin, the regulus of antimony, copper, and brass. The articles made of it are extremely cheap, and have a good deal of beauty; and, when care is taken to buy those that are sufficiently massive, they are, also, very durable. Articles of Britannia metal are made in Birmingham; but Sheffield is the principal seat of this manufacture, employing in it above 600 individuals.*

Japanned articles of every form, variety, and price are very extensively manufactured at Birmingham. The best trays, and other articles of that description, are made of *papier mâché*; the designs on some of them being of great beauty and elegance.

Birmingham was said by Mr. Burke to be the "toy-shop of Europe." It is still entitled to this distinction; though, as the manufacture of other and more important articles has increased during the present century more rapidly than that of toys, the latter does not bear the same proportion to the entire trade of the town that it formerly did.

The button is placed by Hutton at the head of the toys, though it seems to be entitled to no mean place among articles of utility. The fashion of buttons, as of most other things, has varied exceedingly. Is is now, for the most part, plain, or but slightly raised. Hutton says that, in 1818, the art o gilding was carried to such perfection, that three penny worth of gold wa made to cover a gross of buttons! — (p. 106.) The demand for buttons fo home consumption is immense; and, notwithstanding the loss of some branches of the trade, large quantities are exported. Some idea of the magnitude of this apparently trifling business may be formed from the fact, that a single manufacturer had in his workshop, in 1834, as many as 10,000 double sets of cut steel dies for livery buttons only! — (MANUFACTURES IN METAL., *Lardner's Cyclopædia*, vol. iii. p. 393.)

Buckles long ranked as one of the staple articles of Birmingham manufacture; and the rise, mutations, and extinction of the trade, would furnish materials for an interesting work. Large square buckles, plated with silver, were the fashion in 1781; but soon after that period shoe-strings began to be introduced; and the taste for them having rapidly extended, the demand for buckles declined in an equal degree. In 1791 his late majesty George IV., then Prince of Wales, endeavoured, at the solicitation of a deputation from Birmingham, Wallsall, and other places, to revive the taste for buckles. But the tide of fashion set too strongly in the opposite direction to be controlled even by the example of royalty: the use of the buckle was entirely given up. The manufacture ceased to exist; and the thousands who depended on it for support were reluctantly compelled to seek for subsistence by resorting to other businesses.

The quantity of fancy seals, brooches, clasps, and other trinkets, made of what is called *Birmingham gold* and polished steel, is only less wonderful than their beauty and cheapness. Few, indeed, unless they have seen some of the warehouses filled with these articles, can form any just idea of the extent to which they are produced, and of their variety. The toy and trinket trade, in its various ramifications, is quite immense. Mr. Osler, a manufacturer of Birmingham, stated, before a committee of the House of Commons, in 1824,

* "Treatise on Manufactures in Metal," *Lardner's Cyclopædia*, vol. iii. p. 102.

that he had received a single order for 500*l.* worth of dolls' eyes! — (*Report on Artisans and Machinery*, p. 314.)

Any article, how trivial soever, may, in fact, if it get into extensive demand, become the subject of a very large business. Mr. Phipson's pin manufactory in this town employs about 200 persons on the premises, and 50 out of doors, besides a good deal of work done in Stafford, Shrewsbury, and Hereford county gaols.* The steel pen is another example of this. It is a trifling article; but the consumption is such, that a single maker of steel pens at Birmingham employed, in 1835, about 250 workpeople, and consumed about 40 tons annually of fine sheet steel in his factory; each ton of steel being estimated to produce nearly 10,000 gross of pens! — (*Penny Cyclopædia*, art. BIRMINGHAM.) And, exclusive of this immense supply, and of those furnished by other manufacturers in Birmingham, large quantities are made at Sheffield, and in the metropolis. The best pens are said to be manufactured in the latter.

There are but few large capitals employed in the manufactures of Birmingham. Exclusive of the great establishment at Soho, and a few others, most of the works carried on in the town and neighbourhood are on a comparatively small scale. The greater number of the manufacturers have only very limited capitals; some not possessing more than from 500*l.* to 800*l.*; and many not more than from 2,000*l.* to 4,000*l.*, employing from 5 to 30 hands. The work is partly carried on in workshops; but a large portion of it is paid by the piece, and is carried on in the houses of the work-people to whom it is given out to be executed. There is also a class of middlemen, or of workmen called *undertakers*, from their receiving the rude material from the manufacturer and undertaking to get it wrought up. Women are extensively employed in polishing the goods, in the glass toy branch, and in the manufacture of braces. Boys are chiefly employed by the outworkers and undertakers, as apprentices, receiving the first year about 1*s.* a week, and the last from 6*s.* to 12*s.*, exclusive of their clothing; but they get their food at home; and in most instances, indeed, work in the houses of their parents. The wages of the men vary according to the departments in which they are engaged, their skill and dexterity, and the state of trade at the time. In some branches, where superior skill and attention are required, wages are very good; being little, if at all, inferior to those earned by the best workmen in the metropolis. Some of the small manufacturers have accumulated large fortunes; and the condition of the workpeople is, on the whole, very favourable. — (*First Report of Factory Commissioners*, B. 1. p. 2.)

No means exist of forming any estimate of the value of the articles produced in Birmingham and its immediate vicinity. It must, however, be very great; and, probably, (including gold and silver plate,) does not fall short, if it do not exceed, 3,000,000*l.* The value of the raw material, or of the iron, copper, or brass, bears, in most descriptions of Birmingham goods, a very small proportion to that of the labour expended upon them; and, in some of the lighter and finer finished goods, becomes almost inappreciable. The manufacture of watch springs, in which the value of the iron does not amount to nearly the *two thousandth part* of the value of the finished article, is an instance of this.

The town of Birmingham, with the parishes of Aston and Edgbaston, had, in 1831, a population of 146,986. But Soho, though a suburb of Birmingham, being in Staffordshire, is not included in the above. The country for several miles round is exceedingly populous; and the population is almost entirely dependent on the working of metals. According to the official

* This is the statement made by Mr. Phipson himself to the Commissioners of Factory Inquiry. In *Lewis's Topographical Dictionary*, art. BIRMINGHAM, Mr. P. is said to employ in his factory 1,000 persons.

returns there were, in 1831, about 10,000 males of 20 years of age and upwards employed in Birmingham, Aston, and Edgbaston, as follows, viz. —

At Birmingham, makers of anvils 5, augers 1, awl-blades 7, bayonets 1, beer-machines 2, bellows 44, bellows-pipes 7, blacking 1, bolts 5, bone toys 3, brace bits (wimbles) 3, bottle jacks 2, braces 8, brass locks 1, brass-workers 1,785, braziers 7, bridle bits 18, bridles 5, Britannia tea-pots 51, bronze 1, buckles 10, burnishers 2, buttons 646, cabinet locks 3, candlesticks 4, casters 94, casting pots 3, chasers 29, clock-dials 4, clock-works 2, coach lace 1, coach springs 7, coach-founders 5, coffin furniture 2, coral carver 1, corkscrews 3, currycombs 1, die sinkers 60, dirt washer 1, dog collars 4, edge-tools 8, enameller 1, fenders 17, files 6, fire-irons 21, fishing-rods 1, floor-cloth 3, forgers 14, frying pans 7, gas 3, gilders 15, gilt toys 255, gimblets 25, girth springs 1, glass-blowers 16, glass 7, glass cutters 114, glass pinchers 3, glass toys 24, gold cutler 1, gold-beaters 18, gold plater 1, grinders 15, gauge plater 1, gun makers 1,221, gun-barrel filers 4, gun implements 19, gun-lock filer 1, hinges 19, homes 1, horn-presser 1, iron-filers 4, iron plate workers 6, japanners 252, jewellers 861, key maker 1, lamp makers 39, lanthorns 1, lock-filers 3, locksmiths 113, machines 2, malt mills 12, mathematical instruments 16, metal rollers 11, metal teapots 1, military ornaments 3, miniature frames 1, modellers 7, needles 2, paper trays 1, patent cards 1, patent sashes 5, pearl workers 3, pewterers 5, picture frames 2, pins 9, pistol finisher 1, planes 26, platers 616, polishers 7, pot ash 1, refiners 20, repairer 1, ring turners 4, rollers 3, ruler makers 55, saddle trees 1, saddlers' tools 1, saw handles 2, saws 7, scale beams 25, Scotch snuff-boxes 1, screws 27, similor 1, silversmiths 277, snuffers 40, solder 2, spades 6, spectacles 16, split rings 5, spoons 67, spurs 2, stampers 94, steel toys 171, steelyards 2, stirrup filers 6, strikers 2, sword cutlers 8, tarpaulins 4, tea trays 21, tea urns 11, thimbles 9, toymen 174, thread 2, tools 79, tortoiseshell workers 7, toys 13, traces 2, Tutania (Tutenag) tea pots 6, varnish 2, vices 6, violins 1, waiters 4, watch-glasses 1, watch-hands 2, watch-pendants 1, watch-pinions 2, watch-springs 1, weavers 19, web 1, white metal smiths 562, wire drawers 150, workers in copper and brass 34, workers in copper and steel 37. At *Aston*: makers of anvils 1, awl-blades 27, bellows 10, brass founders 576, Britannia metal 8, buckles 3, buttons 153, carpets 1, coffin furniture 15, edge tools 24, fenders 38, files 33, frying pans 8, gilt toys 16, gimblets 16, glass 132, hinges 34, latches 1, locksmiths 59, machines 3, malt mills 6, needles and fish-hooks 5, pewterers 10, pins 4, planes 6, rulers 18, saws 19, screws (wood) 27, snuffers 6, spades and shovels 1, spoons 36, steel toys 120, steelyards and scale-beams 17, thimbles 17, thread 3, traps (mouse and rat) 3, vices 2, weavers 5, wire 87. At *Edgbaston*: brass-founders 8, makers of buttons 6, coach springs 1, files 2, gimblets and braces 2, glass 3, huckles 2, iron 6, locksmiths 4, platers 7, polishers 2, press nails 1, rollers of metal 2, screws 1, spectacles 1, spoons 2, vinegar and starch makers 3.

The situation of Birmingham is dry and salubrious. In a few departments the processes carried on are reckoned very unhealthy; but this is not generally the case; and, notwithstanding the immense number of furnaces, and the volumes of smoke which they emit, the town is not unhealthy.

The manufacturing district, of which Birmingham is the metropolis, includes a considerable tract to the north-west of the town, embracing the southern part of Staffordshire, with the extreme northern border of Worcestershire, and a detached part of Salop. Within this district are the populous towns of Dudley, Wolverhampton, Bilston, Walsall, Wednesbury, Stourbridge, &c. Exclusive of the production of iron, in which most of them are very largely engaged, different branches of the hardware manufacture are carried on in all these towns. The nail trade, which is, perhaps, the most important, is principally prosecuted in and round Dudley, Stourbridge, and Walsall. Many efforts have been made to supersede the labour of the hand in the making of nails, by constructing them wholly by means of machinery; and vast numbers are now made in this way, that answer sufficiently well for various purposes. But the best of those made by machinery are still very inferior to those made at the common forge; which, in consequence, is still very extensively employed.

The art of making nails by the hand continues at present nearly in the state described by Hutton. "We cannot," says he, "consider it a trade *in* so much as *of* Birmingham; for we have but few nail-makers left in the town; our nailers are chiefly masters, and rather opulent. The manufacturers are so scattered round the country, that we cannot travel far, in any direction, out of the sound of the nail-hammer. When I first approached Birmingham from Walsall, in 1741, I was surprised at the prodigious number of blacksmiths' shops upon the road; and could not conceive how a country, though populous, could support so many people of the same occupation. In some of these shops I observed one or more females, stripped of their upper garment, and not overcharged with their lower, wielding the hammer with all the grace of the sex. The beauties of their face were rather eclipsed by the smut of the anvil. Struck with the novelty, I inquired 'whether the ladies in this country shoed horses?' but was answered, with a smile, 'They are nailers.'" —(p. 117.)

This employment is as poor as it is slavish and degrading. The wages obtained in it are very low, most probably from the circumstance of women and children being largely employed. At present it is supposed to occupy in all from 25,000 to 30,000 hands.

The manufacture of japan ware is prosecuted on a large scale at Bilston and Wolverhampton. The latter has been long celebrated for the excellence of her locks; the general trade in which, she almost exclusively enjoyed till a comparatively late period. At present the more costly and best locks are made in the metropolis; and the lock trade is also carried on at Birmingham. But Wolverhampton still engrosses the largest share of the manufacture; and she has also large manufactures of brass and copper articles.

Saddlers' ironmongers are a class of manufacturers, some of whom are found at Birmingham, but who chiefly reside in Walsall, Wolverhampton, and Wednesbury. They plate and prepare bridles and stirrups, with ornaments for coaches and coach harness, &c. For cheapness in the common, and perfection in the best, of these articles, the district in question is unrivalled.

Sheffield, in the district of Hallamshire, in the West Riding of Yorkshire, is the next grand seat of the hardware manufacture. Nothing is known as to its early history, or the origin of that business for which it is now so famous. But it had attained to eminence in the making of knives so early as the 13th century; for Chaucer, who was contemporary with Edward III., mentions, in his "Reves Tale," the Sheffield "thwytel," or whittle, in such a way as shows it was then in common use. It does not appear ever to have lost the reputation for cutlery it had thus early acquired. In 1575, the Earl of Shrewsbury, lord of the manor of Sheffield, sent to his friend Lord Burleigh, "a case of Hallamshire whittels, beinge such fruites as his pore cuntrey affordeth *with fame throughout the realme*." —(MANUFACTURES IN METAL, *Lardner's Cyclopædia*, vol. ii. p. 5.) In 1624, a corporation was formed for the "good order and government of the makers of knives, scissars, shears, sickles, and other cutlery wares in Hallamshire," the government being vested in a master, two wardens, six searchers, and 24 assistants, consisting of freemen only. The principal object in the formation of this corporation seems to have been the regulation of the marks or other devices which every individual was to strike or impress on the goods he made for sale. But these regulations can hardly be said to be any longer in existence.*

* We may take this opportunity to observe, that a considerable difference of opinion exists as to whether it would be expedient to enforce any general regulations with respect to marks; and the subject is involved in a good deal of difficulty. No one, indeed, can doubt for a moment the impolicy of attempting to interfere, in any

The corporation continued on the footing fixed in 1624 till 1814, when an act was passed permitting all persons indiscriminately, without their being freemen, or having served an apprenticeship, or obtained a mark from the corporation for their goods, to carry on business any where within the district of Hallamshire. This liberal and judicious measure has been of great service to the town, by inducing men of talent and enterprise from all parts of the country to settle in it, where their competition and industry have had the best effects.

For several centuries the manufactures of Sheffield were confined almost entirely to the making of sheath-knives, scissars, sickles, and scythes. About the beginning of the 17th century, a common tobacco-box and the Jew's harp were added to the list of manufactured articles; but it was not till about forty years after that the manufacture of clasp-knives, razors, and files, for which it is now so famous, was introduced. It has been remarked that for about a century after this period, the manufacturers of Sheffield discovered more of industry and perseverance than of enterprise or ingenuity in the conduct of their business. But about 1750 they began, for the first time, to carry on a direct trade with the Continent. The manufacture of plated goods was soon after commenced; and, from that period down to the present time, Sheffield has made an astonishing progress in the career of industry; and, in many branches of the hardware manufacture has no superior, and in some no rival. — (*Rees's Cyclopædia, Lewis's Topographical Dictionary, &c.*)

Like Birmingham, Sheffield was, most probably, indebted to her situation for her early application to the hardware business. Coal and iron are found in her immediate vicinity. The Don, on which Sheffield is built, supplies her with power to work mills for forging, cutting, and preparing the iron and steel used in her manufactures; and, in this respect, she has an advantage over Birmingham. The river was made navigable to within about 3 miles of the town so early as 1751; and a lateral canal has since prolonged the navigation to the town.

Cutlery, as it was the earliest, so it is still the largest and most important, branch of industry carried on in Sheffield. The principal articles are table-knives and forks, pen and pocket-knives of every variety and description; scissars; razors; surgical, mathematical, and optical instruments; scythes, sickles, saws, with all sorts of carpenters' tools; and so forth. The most beautiful and highly finished articles of cutlery, exhibited in the shops of the metropolis, though stamped with the vendor's name, are mostly all made here; and Sheffield cutlery is deservedly held in the highest estimation in all parts of the world.

With the exception of plated saddlery ware, almost all the other descriptions of plated goods made at Sheffield are reckoned superior to those made at Birmingham or any where else. Some of the best plated articles have silver edges; and, when used with ordinary care, last for a very long time, and can with difficulty be distinguished from silver. We have already noticed the extensive manufacture of articles of Britannia metal carried on here.

Mr. Jacob says, that in as far as he was able to ascertain by inquiries of the platers, the owners of flatting-mills, and of the manufacturers of plated

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manner of way, with the description of articles a person may choose to manufacture; but it would, at the same time, be very desirable could some means be devised that would make the public readily aware of the sort of articles they are buying. At all events, the practice of putting false marks on articles cannot be too much condemned. We do not object to knives being made of hammered iron, cast iron, &c.; but we do object to the practice of impressing such articles with the words "steel," "shear steel," &c. This is practising a fraud upon the public, and inflicting an injury on such manufacturers as make similar articles of steel.

goods, he was disposed to estimate the silver used for plating in Birmingham and Sheffield, including with it that used at Walsall and other places, by saddlers' ironmongers, at about 750,000 oz. a year.—(Vol. ii. p. 298.) And deducting from this the 150,000 oz. used at Birmingham, and 100,000 oz. for that used at Walsall and other minor towns, there will remain 550,000 oz. for the consumption of Sheffield.

Few articles of copper and brass, and no toys, are made at Sheffield; but, in lieu of these, it has some peculiar and important businesses. The conversion of iron into steel is carried on to a far greater extent in it than in any other part of the empire; and most of the steel used at Birmingham, and other places, is prepared at Sheffield. The works of the Messrs. Sanderson, for the converting and preparing of steel by tilting, rolling, &c., are the most extensive and celebrated in the world.

The manufacture of files is one of the staple trades of Sheffield. Files are used in immense quantities at home, and are largely exported. Any one who has ever seen the process of file-cutting, would be likely to conclude that it was an operation that might be successfully performed by machinery; and a great variety of contrivances have been set on foot in that view. Hitherto, however, none of them have completely succeeded; so that all the best files continue now, as heretofore, to be cut by the hand.

The town of Sheffield had, in 1831, a population of 59,011. The manufacture is not, however, confined to it, but is diffused over the whole parish, representing, though not quite identical with, the old Saxon manor of Hallam, or Hallamshire. The parish, which includes an area of 22,830 acres, lies mostly to the west of the town, and had, in 1831, a population of 91,692. The principal part not only of the male, but also of the female part of the population, is engaged in the hardware trade. In 1833, some of the staple trades carried on in the town, and the individuals employed in them, were specified as follows: — Table-knives and forks, 3,689 hands; pen and pocket-knives, 2,680; razors, 754; scissars, 600; files, 1,768; saws, 563; edged tools, 703; stove grates, fenders, &c., 1,530; white metal, 643; silver plated goods, 500; making in all, 13,430.* But the hands engaged in the conversion of iron into steel, and in several other important trades, are not included in this enumeration. Wages in Sheffield vary from about 15*s.* to 35*s.* and 40*s.* a week. The labour in some departments is very severe; and in others great skill is required.† Grinders, particularly those who do not use water in the operation, inhale the finer particles of stone and steel, and are generally short-lived. A good many attempts have been made to obviate this, as well as to lessen the risk of accident in the grinding-mills; but the employment continues to be more than ordinarily unhealthy and dangerous‡; and, as much skill is required in the grinding of the finer descriptions of knives and razors, wages, being influenced by both circumstances, are generally high.

Combinations have been very prevalent at Sheffield. Different opinions are entertained as to their influence on wages; but it seems pretty clear, that, though they have kept up their nominal rate, they have effected this by lessening the hours of work, and keeping a considerable number of individuals out of employment; so that there is but little room for doubt that here, as everywhere else, they have been, on the whole, decidedly injurious to the workmen.

But few, comparatively, of the Sheffield manufacturers have large capitals; and the business is not so generally carried on in workshops or factories as

* *Commons Report of* 1833, on Manufactures, Commerce, and Shipping; Min. of Evidence, p. 175.

† *Report, ubi suprà.*

‡ " Manufactures in Metal," *Lardner's Cyclopædia*, vol. i. pp. 289—296.

in Birmingham. A person worth a few shillings may commence business on his own account as a cutler; and, in this class, individuals are not unfrequently journeymen one year and masters another, and conversely.

Exclusive of these two grand seats of the hardware manufacture, and of the districts subordinate to and connected with them, the business is carried on to a greater or less extent in many other places. Most part of the machinery used in the cotton and other factories is made at Manchester and other great centres of the trade. The wonderful progress of the manufacture has been mainly owing to the excellence and continued improvement of the machinery made use of; the preparation and repair of which employs a great number of hands and a large amount of capital. The reputation of what are called "Lancashire tools" is very widely diffused. Under this designation are comprised files of the very best quality, chisels, gravers' tools, watch and clock-makers' tools, hand-vices, pincers, metal and wire gauzes, and an infinite variety of such like articles. Warrington is the centre of this trade; and in some of its factories may be seen collections of unrivalled excellence of the articles in question. The best watch tools are, however, made at Prescott.

Besides tools, pins are largely manufactured at Warrington; and this being an article of which the consumption is immense, they are, as formerly stated, manufactured in great quantities at Birmingham, and also at Sheffield, Gloucester, London, and other places. At Redditch, in Worcestershire, about 4,500 persons are employed in the manufacture of needles and fish-hooks; and the former are also made at Whitechapel, Hathersage, in Derbyshire, &c. Most descriptions of fire-arms, including the finest fowling-pieces and pistols, are made in the metropolis. Cirencester, in Gloucestershire, furnishes curriers' knives of a peculiar and superior quality. Some of the finer descriptions of cutlery are produced, but only in small quantities, at Salisbury. A great deal of cutlery business is transacted in London; but, as already stated, most of the articles sold in it, though bearing the names of the vendors, are really made at Sheffield.

Cast-iron goods are produced at different places in Scotland; but the best known, and most celebrated works are at Carron, in Stirlingshire. They were established in 1760; but have since been greatly enlarged. All kinds of cast-iron goods, whether for the purposes of war or peace, are made at Carron. Among the former may be included cannons of all sorts, mortars, bombs, &c., with shot and shells. The peculiar variety of cannon called a carronade derived its name from its being originally produced here. The domestic articles are too numerous to admit of enumeration; but stoves, grates, fenders, &c., constitute, perhaps, the largest item. There are many founderies in other parts of the country, particularly in Lanarkshire. Glasgow, like Manchester, has a large manufacture of steam-engines and other sorts of machinery.

The hardware manufacture can hardly be said to exist in Ireland.

Value of the Manufacture. — We regret that no materials exist, or are at all likely ever to be procured, for forming an accurate estimate of the total value of the hardware and cutlery annually produced in Great Britain. Mr. Stevenson estimated the annual value of all the articles made of iron in England and Wales, in 1814, at 10,000,000*l.*, and the persons employed in the trade at 200,000; those of brass and copper at 3,000,000*l.*, and the persons employed at 50,000; and the steel, plated, and hardware articles, including toys, at 4,000,000*l.*, and the persons employed at 70,000; making the total value of the goods 17,000,000*l.*, and the total persons employed 320,000.

We incline to think that this estimate is rather exaggerated. There has, no doubt, during the last 20 years, been a very extraordinary increase in the production of iron; and the rapid increase of Birmingham and Sheffield, as well as of the smaller seats of the hardware manufacture, shows that it has

increased in at least a corresponding proportion. But, on the other hand, there has been, during the same period, a very heavy fall in the price of most articles; the reduction in several descriptions of goods having been from 50 to 60, 70, and even 80 per cent., and in few less than from 20 to 30 per cent. It is, therefore, doubtful whether, notwithstanding the great increase of the manufacture, its value at present materially exceeds its value in 1814. On the whole, if we might venture to conjecture on such a subject, we should say that the annual value of all sorts of iron and hardware and cutlery articles produced in Great Britain may be taken at about 17,000,000*l.*, and the persons employed at from 300,000 to 325,000.

Account of the Quantity and Value of Articles of Hardware and Cutlery, and of Brass and Copper Manufactures, exported in 1833 and 1834; specifying the Countries to which they were sent, and the Quantity and Value of those sent to each.

Countries.	Hardware and Cutlery.				Brass and Copper.			
	1833.		1834.		1833.		1834.	
	Quantities.	Declared Value.	Quantities.	Declared Value.	Quantities.	Declared Value.	Quantities.	Declared Value.
	Cwts.	*L.*	*Cwts.*	*L.*	*Cwts.*	*L.*	*Cwts.*	*L.*
Russia	5,817	39,253	4,047	25,627	47	298	21	176
Sweden	188	1,199	174	975	11	50	4	26
Norway	541	2,171	803	3,097	4	30	10	67
Denmark	896	3,938	842	3,174	74	409	60	440
Prussia	1,092	3,106	1,102	4,050	5	26	2	14
Germany	11,143	75,162	11,995	78,874	2,688	13,323	3,571	18,075
Holland	5,739	32,674	6,143	34,546	3,305	14,614	10,449	44,074
Belgium	2,870	16,570	3,960	21,618	6,736	30,251	6,905	31,983
France	5,901	35,145	6,031	35,867	36,555	151,793	56,468	240,716
Portugal, Proper	2,403	10,799	3,930	20,371	1,082	5,398	1,610	7,847
Azores	212	1,307	211	1,044	9	61	9	44
Madeira	257	791	166	712	6	37	18	96
Spain and the Balearic Islands	3,455	18,299	2,560	16,935	636	3,226	1,097	5,567
Canary Islands	200	1,116	228	941	21	139	45	215
Gibraltar	1,266	5,924	2,032	10,928	382	1,558	535	2,698
Italy and the Italian Islands	8,678	49,335	7,766	50,093	3,531	15,643	4,944	22,547
Malta	396	2,183	286	2,121	91	479	253	1,144
Ionian Islands	364	1,727	440	2,221	6	30	38	237
Turkey and Continental Greece (exclusive of the Morea)	1,017	5,385	1,170	8,569	69	493	1,380	6,724
Morea and Greek Islands	2	12	40	250				
Egypt (Ports on the Mediterranean)	514	2,584	198	878	15	81	8	50
Tripoli, Barbary, and Morocco	2	10	10	141				
Western Coast of Africa	2,513	11,107	5,263	14,307	1,772	8,971	2,323	11,654
Cape of Good Hope	2,564	14,598	1,933	9,933	580	3,000	692	3,759
St. Helena	46	270	101	528	47	215	1	4
Mauritius	509	2,138	40	266	394	2,132	702	3,318
Isle of Bourbon	-	-	598	2,588	-	-	91	423
East India Company's Territories and Ceylon	30,165	58,959	8,140	48,756	80,900	369,017	75,603	345,561
China	-	-	240	1,664			1,895	8,133
Sumatra and Java	3,712	6,459	754	5,156	710	3,665	921	4,436
Philippine Islands	163	1,363	56	525	186	835		
New South Wales, Van Diemen's Land, & Swan River	5,373	24,050	6,008	23,741	1,736	8,914	1,510	7,174
New Zealand, and South Sea Islands	58	275						
Ports of Siam	-	-	157	1,685	-	-	84	330
British North American Colonies	31,871	142,271	22,702	84,058	4,246	21,079	2,956	15,319
British West Indies	48,324	71,475	18,701	76,313	3,697	20,081	3,560	21,488
Hayti	4,940	10,913	2,419	6,745	68	417	48	251
Cuba and other Foreign West Indies	9,735	28,124	18,497	56,653	1,902	8,977	3,642	18,021
United States of America	162,585	711,305	141,023	647,216	33,373	158,456	17,246	87,810
Mexico	2,224	15,522	2,148	21,057	80	533	70	409
Guatemala	-	-	121	430				
Colombia	1,155	3,766	2,321	5,953	-	-	192	619
Brazil	11,255	42,099	21,057	72,775	5,425	27,195	3,493	18,736
States of the Rio de la Plata	5,671	20,281	10,454	33,040	96	555	139	807
Chili	4,375	15,526	3,873	16,605	193	993	447	2,175
Peru	2,196	10,758	2,813	12,152	547	3,101	393	1,859
Isles of Guernsey, Jersey, Alderney, and Man	1,780	10,170	1,579	10,668	31,810	8,075	2,570	12,929
Totals	329,955	1,466,362	325,612	1,485,233	192,971	881,149	205,960	961,823

WATCHES, PLATE, JEWELLERY, &c. — Exclusive of the hardware and plated goods referred to above, the manufacture of watches, and of solid gold and silver articles, is of much importance. Instead of a watch being

the distinguishing appendage to a man of wealth and fashion, it has become the useful companion of all but the poorest and idlest of the community. Among even the middle ranks it has grown into use, not merely for the heads of the family, but few of the junior members, or even of the domestic servants, are without them. The increased number of watches, especially since it has been permitted to form the cases of gold and silver of a lower degree of fineness than our standard, has been such that they must be counted by millions.*

The separate parts of the mechanism of watches are now generally constructed by different sets of artists, mostly in Lancashire, on the principle of the division of labour; the delicate task of putting them together, and regulating their movements, being left to the watchmakers. The watch-making business is principally carried on in London, especially in the parish of Clerkenwell, and to a lesser extent at Coventry, Liverpool, Edinburgh, and other places. At an average of the 3 years ending with 1829, there were annually assayed at the Goldsmiths' Hall, London, 13,893 gold, and 84,810 silver watches.—(*Jacob*, vol. ii. p. 413.) The metal in the gold watches is 18 carats fine, worth 3*l.* 5*s.* an ounce, and the weight of metal in each watch is about 2 ounces. At a medium the gold watches may, it is believed, be worth about 15*l.* each, or 208,395*l.* in all: and estimating the value of the silver watches at 6*l.* each, the value of those produced in the metropolis, during the same 3 years, will be 508,860*l.* a year; making, when added to the value of the gold watches, a total of 717,255*l.*, exclusive of plated and gilt watches, &c. The average number of gold watches assayed at Birmingham (but chiefly made at Coventry), Chester, and elsewhere, may be from 900 to 1,000 a year, worth 13*l.* each; and the silver watches made at Coventry, Liverpool, Edinburgh, and all other places, exclusive of London, varies from 135,000 to 145,000 a year (*Jacob*, vol. ii. p. 292. & p. 296.), worth, probably, 5*l.* each. On the whole, including the gilt and plated watches, &c., the value of those annually manufactured in Great Britain may be moderately estimated at 1,500,000*l.* a year.

The different pieces of the mechanism of clocks, like those of watches, are made by different sets of workmen; and are put together by others, who, though mostly distinct from, are usually confounded with, watchmakers. It appears, from the population returns, that there were, in 1831, 8,892 males of 20 years and upwards employed as clock and watch makers in Great Britain, of whom 7,720 belonged to England, 228 to Wales, and 944 to Scotland. Of those belonging to England, the metropolis had 2,633.

Exclusive of the gold used in gilding and in watchmaking, large quantities are annually wrought up into plate, trinkets, snuff-boxes, &c. The amount so disposed of has been estimated by Mr. Jacob at 58,000 ounces fine gold, worth 4*l.* 7*s.* 6*d.* an ounce, and 232,000 ounces standard gold, worth 3*l.* 17*s.* 10½*d.* an ounce, making together 290,000 ounces, worth in all 1,156,020*l.*—(Vol. ii. p. 292.) In the same work, Mr. Jacob estimates the annual consumption of silver in the arts at 3,282,046 ounces, from which, deducting 900,000 ounces used in plating, and 506,740 used in watch cases, there remain 1,875,306 ounces, worth 5*s.* an ounce, or 468,826*l.*, for all other purposes.—(Vol. ii. p. 299.) We suspect, however, that both these estimates, particularly the first, are exaggerated. It should also be observed, that a considerable quantity of the new plate, annually manufactured, is made out of old plate, and that the absolute consumption of the precious metals is, consequently, not nearly so great as these estimates would seem to infer.

London is the principal seat of the jewellery business. Next to it, but at a

* *Inquiry into the Production and Consumption of the Precious Metals*, by William Jacob, Esq. vol. ii. p. 209.

great distance, are Birmingham, Derby, Liverpool, and Chester. There are, also, manufacturers of gold and silver articles and jewellery at Newcastle, York, and Exeter; and at Edinburgh and Dublin. In 1830, of 6,441 ounces of gold plate produced in the empire, 5,458 paid duty in London, 827 in the rest of England, 68 in Scotland, and 88 in Ireland. During the same year there were manufactured 1,271,322 ounces of silver plate, of which 965,364 were made in London, 132,900 in the rest of England, 59,498 in Scotland, and 113,560 in Ireland. The jewellery business is believed to be distributed nearly in the same proportions. — (*Jacob*, vol. ii. p. 408.)

According to the population returns there were in Great Britain, in 1831, 5,231 males, of 20 years and upwards, in the jewellery business, of whom England had 4,779, Wales 31, and Scotland 421. More than half the jewellers of England belong to the metropolis.

In London the most costly articles of jewellery, contrary to what might, perhaps, have been anticipated, are devised and completely finished by the same persons; and exclusive of the precious stones, which in some of the ornamental products are the chief cost, the greatest expenditure on them is the gold. That metal is rarely used in a pure state; though in some of the more delicate parts, such as the filigree work, it is mixed with but a very small proportion of alloy. That commonly used, at least by the first-rate jewellers, is usually 16 carats fine, or with a third of alloy. The finer gold is supplied by the refiners; and amounts to about a fourth part of the other. The trade of a gold-beater used to be restricted to London, where it continues to be principally carried on; but it is now prosecuted on a smaller scale at Birmingham, Dublin, Glasgow, Edinburgh, Liverpool, and some other places.

The declared or real value of the plate, plated goods, and jewellery exported in 1834 amounted to 192,269*l.* The United States are the best market for this description of goods, and next to them India.

Sect. VII. — *Leather Manufacture.*

The leather manufacture ranks either third or fourth among those carried on in the country, being inferior only, in point of value and extent, to those of cotton, wool, and iron, if it be not superior to the latter. Sir F. M. Eden, in his *Treatise on Insurance*, estimated the value of the different articles manufactured of leather, in 1803, at 12,000,000*l.*; and there is reason to think that this statement was not very wide of the mark. Besides the hides and skins produced at home, vast quantities are imported. At an average of the years 1833 and 1834, no fewer than 304,279 cwt., or 34,079,248 lbs., of foreign cow, ox, and buffalo hides were entered for home consumption, exclusive of vast quantities of lamb-skins, goat-skins, &c. The total quantity of all sorts of leather, tawed, tanned, dressed, and curried in Great Britain, may at present be estimated at about 65,000,000 lbs.; which, at 1*s.* 6*d.* per lb., gives 4,875,000*l.* as the value of the leather only. Now, supposing, as is sometimes done, the value of the leather to amount to one third the value of the finished articles produced from it, that would show the value of the manufacture to be 14,625,000*l.* or 14,600,000*l.* We incline, however, to think, that the value of manufactured leather articles does not amount, at an average, to three times the value of the raw material; and, therefore, we may, perhaps, estimate the entire value of the manufacture at 13,000,000*l.* or 13,500,000*l.* Now, supposing the smaller sum to be the more accurate, to get the number of persons employed, we have first to deduct from this sum of 13,000,000*l.*, 4,875,000*l.* for the raw material, which leaves 8,125,000*l.* as the aggregate amount of profits, wages, &c.: and, setting aside 25 per cent. as profits, rent of workshops, capital invested, &c., we have a sum of

6,094,000*l.* remaining as wages. And, supposing those employed as shoemakers, saddlers, glovers, &c. to make, one with another, 30*l.* a year, the total number of such persons will be 203,000.

This, however, does not give the total number of persons employed in the leather trade, inasmuch as it excludes the tanners, curriers, &c. employed in dressing and preparing the leather. But if, from the value of the prepared leather 4,875,000*l.*, we deduct 1,500,000*l.* for the value of the hides and skins, and 2,300,000*l.* for tanners and curriers' profits, including the expense of bark, lime, pits, &c., we have 1,075,000*l.* left as wages. Now, as the wages of curriers, tanners, leather dressers, &c., may, we believe, be taken at 35*l.* a year at an average, we shall have 30,700 as the number employed in these departments; and, adding these to the persons employed in manufacturing the leather, we have a grand total of 233,700 employed in the various departments of the business.

Those who may be inclined to suspect these estimates of exaggeration, would do well to reflect on the value of the shoes annually manufactured. It is generally supposed that the expenditure upon shoes may be taken, at an average of the whole population, at 10*s.* a year for each individual, young and old; which, taking the population at 17,500,000, would give 8,750,000*l.* for the value of shoes alone; but taking the value of the shoes at 8*s.* only, it gives 7,000,000*l.* for the amount. Mr. Stevenson supposes (art. ENGLAND, *Edinburgh Encyclopædia*), that the value of saddlery, harness, gloves, &c. is at least equal to that of shoes; but we believe this to be too high, and have taken it at 1,000,000*l.* below the value of the shoes. In estimating the entire value of the manufacture at 13,000,000*l.*, we incline to think that we are as near the mark as it is easy to come in such investigations.

Distribution of the Manufacture. — *Tanneries.* — The business of tanning is very widely diffused. As was to be expected, the largest tanneries in the empire are in the vicinity of London, particularly at Bermondsey, in the Borough. The manufacture of what is called morocco leather, principally used by bookbinders, coach-makers, &c., is almost entirely confined to it. There are, also, extensive tanneries in the vicinity of most large towns, and at different places throughout the country. The capital required to carry on the business is very considerable; since, besides what is laid out on pits and buildings, &c., there must be sufficient to wait the returns, which are usually very slow. At present, however, hides can be prepared for sale in half the time that was formerly required; and this, as is said, not only without any injury to, but with an actual improvement of, the leather. Many experiments have been tried with different kinds of bark; but oak still continues, all things considered, to maintain its ancient pre-eminence: very large quantities of it are annually made use of.

Shoemaking. — According to the returns under the last census, there were, in 1831, a grand total of 133,248 males, of 20 years of age and upwards, employed in the shoemaking business in Great Britain; viz., in England 110,122, in Wales 5,819, and in Scotland 17,307. London is the principal seat of the business, having employed, in 1831, 16,502 shoemakers of the above age. Exclusive of the shoes made in London, large quantities are brought to its markets from Northamptonshire and Staffordshire, — counties in which the manufacture of shoes, over and above what is required for their own supply, is carried on to a very considerable extent. In Northampton, Wellington, Irthlingborough, Kettering, and other places in Northamptonshire, from 2,200 to 2,400 males, of 20 years and upwards, exclusive of large numbers of women and children, are employed in the manufacture of shoes for export to other parts of the country, and to foreign countries. — (*Population Returns.*) In the town of Stafford the manufacture employs about 800 men. It used, also, to be carried on to a considerable extent at Congleton and Sandbach, in Cheshire; but it has been superseded in the first by the manufacture of

cotton, and in the latter by that of silk. Leather slippers are largely produced at Bicester, in Oxfordshire.

Saddles and Harness are made in every considerable town, and even village, in all parts of the empire; but the largest proportion, as well as the finest and best articles, are made in London. Of 11,280 males, of 20 years and upwards, employed in the manufacture of saddles and harness in Great Britain, in 1831, 1,558 belonged to the metropolis. The annual value of the exports of leather, wrought and unwrought (exclusive of sadlery), amounts to about 250,000*l.* The exports of saddlery are about 60,000*l.* a year. The West Indies and the British North American colonies are the principal markets for these articles.

Gloves. — The leather used in the manufacture of gloves is not, properly speaking, tanned, but prepared by a peculiar process that renders it soft and pliable. Some sorts of leather gloves admit of being washed, and others not. Woodstock and Worcester, but particularly the former, are celebrated for the manufacture of leather gloves of a superior quality, in which a great number of women and girls, as well as men, are employed. The produce of the Worcester manufacture has been estimated at about 42,000 dozen pairs of oil leather, or beaver, gloves, and 470,000 dozen pairs of kid and lamb-skin gloves; the value of the whole, when finished, being about 375,000*l.* Besides Worcester and Woodstock, Yeovil, London, Ludlow, and Leominster are the principal seats of the leather glove manufacture. Of these Yeovil is the most important. "The quantity of all sorts of gloves annually produced there may be estimated at about 300,000 dozen pairs; and the number of men, women, and children employed in the place, and the adjoining districts (spreading over 20 miles), amounts, perhaps, to 20,000. They are principally employed in making men and women's fine gloves, or those that pass in the shops under the denomination of kid gloves, but which are really made from lamb-skins imported from Italy, Spain, and Germany, and dressed at Yeovil." — (*Hull on the Glove Trade*, p. 69.) Gloves are sometimes sewed by machinery; but this is done only to improve the work, by rendering the stitches more correctly equidistant, as it is not cheaper than manual labour. Large quantities of cotton gloves are made at Nottingham and Leicester.

Influence of Repeal of Prohibition of Importation. — The importation of leather gloves and mitts was formerly prohibited, under the severest penalties. This prohibition, by preventing all competition and emulation with the foreigner, checked improvement, and rendered British gloves at once inferior in quality and high in price. This system was, however, permitted to continue till 1825, when the prohibition was repealed, and gloves allowed to be imported on payment of duties which, though high, are not prohibitory. This measure was vehemently opposed, and many predictions were made of the total ruin of the manufacture; but in this, as in every similar instance, experience has shown that the trade had not been really benefited, but that on the contrary it had been injured, by the prohibition. The wholesome competition to which the manufacturers now felt themselves for the first time exposed, made them exert all their energies; and it is admitted on all hands, that there has been a more rapid improvement in the manufacture during the last 10 years than in the previous half century. There is still, no doubt, a great deal of complaining of a decay of trade among the leather glove manufacturers; but we are assured that, if there be any real foundation for their complaints, it is ascribable more to the growing use of home-made cotton and silk gloves, than to the increased importation of foreign leather gloves; and had it not been for the improved fabric, and greater cheapness, of British leather gloves, that has grown out of the new system, it is abundantly certain that cotton gloves would have gained still more rapidly on them. In point of fact, however, it does not appear that there has been any falling off in the

leather glove trade; on the contrary, the fair inference seems to be that it has increased: at all events, there has been a very considerable increase in the number of skins brought from abroad to be used in the manufacture, and, consequently, in the number of pairs of gloves produced from such skins; and there is no reason for thinking that it is at all different with the other departments. — (*M'Culloch's Commercial Dictionary*, art. GLOVES.)

Account of the Gloves imported during the 6 Years ending with 1835.

	1830.	1831.	1832.	1833.	1834.	1835.
Gloves imported, pairs - -	1,093,521	1,196,465	1,516,632	1,436,472	1,697,944	1,260,593
Whereof from France - -	1,067,196	1,169,377	1,513,106	1,422,634	1,657,967	——

N. B. — For accounts of the lamb, kid, and other skins imported, exported, and entered for consumption in 1833 and 1834, see the Table of Imports in those years, *post.*

SECT. VIII. *Manufactures of Earthenware and Glass.*

1. EARTHENWARE.—The manufacture of earthenware, or, as it is frequently called, stoneware, is of considerable value and importance. It is carried on in several parts of the country; but its principal seat is in the district called, by way of distinction, the "Potteries," in the north-west part of Staffordshire, having the town of Burslem in its centre. It is doubtful when the manufacture was originally established here; but it has certainly been prosecuted at Burslem for at least two centuries. The district has great natural capabilities for the successful prosecution of the business. The upper strata present, in almost every part, a great variety of clays, covering vast beds of excellent coal, which, being situated near the surface, are, in general, easily wrought. But, notwithstanding these capabilities, the manufacture was long in a very backward state. Dr. Plot, whose *Natural History of Staffordshire* was published in 1686, gives, what is believed to have been, a very accurate account of the manufacture at that time. The wares were then of the coarsest and commonest sort, and consisted principally of pots for the preservation of butter, whence Burslem is, in several old maps, marked by the name of "Butter Pottery!" Plot says that the wares were "chiefly sold to the poor crate-men, who carried them at their backs all over the country." — (*Nat. Hist. of Staffordshire*, cap. 3. § 29.) About the year 1690, some improvements were introduced into the manufacture by two foreigners of the name of Ellers. Superior clays were also brought from Dorset and Devonshire; and the fabric of the ware was improved by the addition of pounded flints, &c. Still, however, British earthenware was very inferior in beauty to that of France, which was, consequently, imported in considerable quantities, and was almost the only thing made use of by the more opulent class of customers.

It was not till about the year 1760, or 1762, that the grand era of improvement commenced in the potteries. We are indebted for it to the exertions and example of Mr. Josiah Wedgwood, who did for the manufacture of earthenware what Arkwright did for that of cotton. This eminent individual was the youngest son of a potter, was very indifferently educated, and received but little property from his father. But these untoward circumstances, far from repressing, served rather to stimulate, the native vigour of his mind. His original and inventive genius enabled him to make many important discoveries, while his practical acquaintance with the business gave him the means of successfully introducing them into practice. Besides improving the composition, the glaze, and the colours of the old wares, he invented several that were altogether new; and, (which was least to be expected from a person in his situation,) he made vast improvements upon the figure of

the articles manufactured, displaying in their formation a degree of classical elegance, and purity of design, which materially improved the national taste, and has never been surpassed. In addition to this, Mr. Wedgwood successfully exerted himself to improve the communications with the potteries; and was mainly instrumental in carrying the act for the Trent and Mersey canal through parliament, and in accomplishing that grand undertaking. The village of Etruria, where his works were situated, was built by him. Since his death, which took place in 1795, they have been carried on by his descendants. *

The inventions and discoveries of Mr. Wedgwood were soon universally introduced; and the manufacture has since continued gradually to extend and to improve. Its progress, we are assured, has been such, that a workman at the present day can, in a given time, produce about *four* times the quantity of manufactured articles he could have done in 1790!

Exclusive of earthenware, chinaware is also extensively manufactured in the pottery district.

Certain descriptions of earthenware are produced, in a considerable quantity, and of excellent quality, at Lambeth, and the same and other descriptions in other parts of the country. Chinaware is made at Worcester, Derby, Colebrookdale, Rotherham, &c. It is estimated that the value of the various sorts of earthenware produced at the potteries may amount to about 1,500,000*l.* or 1,600,000*l.* a year; and that the earthenware produced at Worcester, Derby, and other parts of the country, may amount to about 750,000*l.* more; making the whole value of the manufacture 2,250,000*l.* or 2,350,000*l.* a year. The consumption of gold for gilding, &c., at the potteries, is about 650*l.* a week, and of coal about 8,000 tons a week. — (*M'Culloch's Commercial Dictionary*, art. EARTHENWARE.)

The finer sorts of clay used in the potteries are principally brought from the Isle of Purbeck, in Dorsetshire, and from Devonshire; steatites or soapstone is brought from Cornwall; large quantities of flints from Kent, and some from Wales, Ireland, &c. The canals by which Staffordshire is intersected, and which unite the potteries with all the principal ports of the kingdom, afford the greatest facilities for the conveyance of the raw materials used in the manufacture, and for the easy distribution of the wares to the great markets at home and abroad.

The population of the pottery district, which is naturally poor and barren, is exceedingly dense. It comprises from 60,000 to 70,000 inhabitants. The principal places are Burslem, Shelton, Longton, Stoke-upon-Trent, Henley, Tunstall, Lane-End, Etruria, &c. But several of these are now joined together; and, to a stranger, the entire district has the appearance of a large straggling town. A very large proportion of the population is employed in, and a still greater is dependent for support on, the manufacture. With the exception of gold, most of the materials made use of are worth very little; so that the value of the finished articles, as well as their exquisite beauty, and aptitude to every purpose of utility and ornament, is mainly ascribable to the skill and labour expended upon them. The wives and children of the workmen are usually employed; and, though they work together in factories, yet, as they reside in separate cottages, the manufacture partakes largely of the domestic character. The wages of a whole family amount to a very considerable sum. "The noxious process of glazing, so injurious to the health of those employed, has been rendered nearly free from its deleterious effects by the substitution of boracic acid for lead, which was formerly used in the proportion of 100 per cent, but now only of 8 per cent. The people employed in that branch were formerly not admissible into clubs, and were

* See *Aikin's Description of the Country round Manchester*, p. 528.; and the Supplement to his *Biographical Dictionary*, art. WEDGWOOD.

considered as degraded objects, from the insalubrity of their employment; but they are now gladly received into their benefit societies." — (*1st Factory Report*, B 2. p. 78.) On the whole, the work-people have a healthy, comfortable appearance. The population of the new parliamentary borough of Stoke, comprising the principal places in the Potteries, is about 57,000; and of this number 12,997 were, in 1833, attendants upon Sunday schools.

Owing to its extreme cheapness, excellent cream and blue-coloured stoneware is now found in every cottage; and it has everywhere superseded not only the old, ill-glazed, clumsy Delft-ware, but also pewter plates, and the greater part of the wooden dishes that were formerly used in the kitchen and the dairy. It is not easy to overrate the influence of this change, in diffusing a taste for cleanliness, and for increased comforts and conveniences. Nor have its advantages been confined to this country. It is now widely spread over all parts of the world; the annual value of the exported articles being at present very near 500,000*l*. Formerly, as we have seen, we imported large quantities of stoneware from France, and at a previous period from the Dutch potteries at Delft; but the produce of our own potteries is now everywhere held in the highest estimation. An intelligent foreigner, M. Faujas de St. Fond, when noticing the English earthenware, observes: — "Its excellent workmanship, its solidity, the advantage which it possesses of sustaining the action of fire, its fine glaze, impenetrable to acids, the beauty and convenience of its form, and the cheapness of its price, have given rise to a commerce so active and universal, that, in travelling from Paris to Petersburgh, from Amsterdam to the extremity of the South of France, one is served at every inn upon English ware. Spain, Portugal, and Italy are supplied with it; and vessels are loaded with it for the East Indies, the West Indies, and the continent of America." — (*Travels in England*, Eng. trans., vol. i. p. 97.)

2. Glass. — The manufacture of glass is alike interesting and important,— interesting from the worthlessness of the materials out of which so beautiful an article is made, and important from the extreme utility of glass as ministering, in a high degree, to our comfort, and to the promotion of scientific investigations. The art is said to have been early introduced into this country; but, if so, it was for a long time but little practised. In the latter part of the 16th century, glazed windows were luxuries, all but unknown, even in the castles of the principal nobility of England*; and in Scotland, in the early part of the last century, glass was but seldom seen in the windows of country houses.† The second Duke of Buckingham materially improved the manufacture of British glass, by bringing workmen from Venice, which had long taken the lead in this beautiful art. The manufacture was still farther improved by the arrival of the French refugees, subsequently to the revocation of the edict of Nantes; and we began soon after to export considerable quantities of glass bottles.

The year 1773 is an era of some importance in the history of the British glass manufacture, inasmuch, as a company for the production of plate glass was then incorporated by act of parliament. This company erected extensive works at Ravenhead, near St. Helen's, Lancashire. The manufacture was at first conducted by workmen brought from France, whence we had previously imported our plate glass. The first company, being unsuccessful, was succeeded by another in 1794. And, for these many years past, glass plates have been produced at these works, that will bear a comparison with any made in any other country. About 20 years ago another company, for the manufacture of plate glass, was established at Newcastle; and these

* *Northumberland Household Book*, xvii.

† Ray, in his *Itinerary* (p. 187.), mentions that in Scotland, in 1661, glass was only used in the upper parts even of the windows of the King's palaces.

are the only establishments for its manufacture in the empire. The competition of the latter company would appear to have been not a little advantageous to the public; the price of plate glass having been reduced, since its formation, about 50 per cent. below its previous level.

Next to bottle or green glass, crown and broad glass, being that which is commonly used in the glazing of windows, is produced in the greatest quantity. Flint, or crystal glass, is the purest and most brilliant of all. It is the material out of which drinking glasses, decanters, chandeliers, and most domestic articles, whether for use or ornament, are usually manufactured. Plate glass is principally employed in the making of mirrors, in coach and shop windows, the glazing of prints, &c.

Distribution of the Manufacture. — Newcastle and South Shields are, beyond all comparison, the principal seats of the manufacture of crown and bottle glass; the duty paid on the glass manufactured in them, in 1832, being nearly equal to half the whole duty collected in England. The largest manufactory of crown glass in the empire is that of Messrs. Chance and Hartley, near Birmingham; and there are considerable manufactories of flint and other descriptions of glass there, and at Dudley, Stourbridge, &c., being situated some in the Lichfield, and some in the Stourbridge, collection. The manufacture is also carried on to a very considerable extent in Liverpool*, Bristol, and Warrington; and to a less extent in Leeds, Manchester, and London. In Scotland the manufacture is principally carried on at Dunbarton, Glasgow, Leith, Haddington, and Ayr. The Irish manufacture is but of trifling importance. Its principal seats are Dublin, Cork, Lisburn, and Waterford. The total gross revenue derived from the glass duties, in 1832, was 747,975*l.* 15*s.*†: of which England produced 680,084*l.*; Scotland, 45,491*l.* 14*s.*; and Ireland, 22,399*l.* 19*s.*

Value of the Manufacture. — It is difficult to form any estimate of the value of the glass annually produced in the United Kingdom. We believe, however, that it may be taken at about 2,000,000*l.*; and the workmen at about 50,000.

Duties on Glass. — An excise duty was imposed on glass in 1746. When first laid on, the duties were comparatively moderate; but for a lengthened period they have been oppressive in amount, and necessarily, perhaps, assessed in a way that interferes with the free action of the manufacturer, obliges him to adopt a routine system, and lays the foundation for the greatest frauds. It appears from the tables printed by the Commissioners of Excise Inquiry, in their elaborate and valuable report on glass, that at an average of the 3 years ending with 1777, when the duty on flint and plate glass was 9*s.* 4*d.* a cwt., it produced 64,188*l.* a year. During the 3 years ending with 1824, the duty was 98*s.* a cwt., or more than *ten* times what it had formerly been! Hence, had the consumption not been affected by this enormous increase, the revenue derived from flint glass during the last triennial period ought to have been more than ten times as great as that derived from it during the former. But, instead of being, as it should have been on this hypothesis, 641,880*l.* a year, the duty actually received during the 3 years ending with 1824 was only 289,442*l.* a year, showing that *the consumption had declined a good deal more than a half during the interval!* But, in point of fact, the consumption had declined to a *fourth part* of what it certainly would have been but for the enormous increase of the duty. During the period in question, the population of England and Wales had increased from about

* The works at Ravenhead and St. Helen's are included in the Liverpool collection.

† This account differs in some degree from that which is subjoined. We are unable to explain the discrepancy; both being taken from the official returns printed in the Report of the Commissioners of Excise Inquiry on Glass.

7,500,000 to about 13,000,000; while their wealth was more than trebled, perhaps quadrupled. Instead, therefore, of the consumption of flint glass having declined more than a half in the interval between 1777 and 1824, it would, but for fiscal rapacity, have been a good deal more than doubled. The vast improvement in the style of living, and the universal desire to possess massive crystal articles, render this all but absolutely certain. In 1825 the duties on flint glass were reduced. But the reduction was quite inadequate, and the Commissioners of Inquiry stated in their Report, that "unless some material change shall take place in the amount and mode of charging the duty, the revenue from flint glass must be, in a great degree, sacrificed; and the persons who carry on the manufacture *under the regulations, and subject to the duties prescribed by law*, must either be driven out of the trade, or left to carry it on at a ruinous loss." This representation could not be disregarded, and the duty was last session (1835) reduced, and some alterations made in the mode of charging it.

This reduction will, no doubt, be a material relief to the manufacturers of flint glass. Still, however, it is very far from being such as the trade and the public had a right to expect. Neither is flint glass the only article that has suffered from the exorbitancy of the duties. In 1777, when the duty on bottle glass was 2*s.* a cwt. it produced 28,995*l.* In 1834, the duty being 7*s.*, it ought, supposing our population and wealth had been stationary during the intervening *fifty-seven* years, to have produced *three and a half* times as much, or 101,482*l.*; whereas, in point of fact, it only produced 98,357*l.* 10*s.* Hence it follows, that, by dint of exorbitant duties, *fourteen and a half millions* of Englishmen consumed fewer bottles in 1834, than *seven millions and a half* did in 1777!

Crown glass, or that which is used in windows, is the only article that has been able to make head against the exorbitancy of the duties. A person may contrive to get on without a bottle, or a cut crystal wine glass or decanter, but glazed windows, of some sort or other, are indispensable; and hence the duty, which has been increased, since 1778, from 14*s.* a cwt. to 73*s.* 6*d.*, has not diminished the consumption, though there can be no question that it has confined it within comparatively narrow limits; and made many content themselves with few, and those, too, small windows, who would have used more and larger, had the duty been more moderate, and glass been consequently cheaper.

But their oppressiveness is not the only objectionable feature of the glass duties. Considerable quantities of glass are exported; but this trade could not be carried on unless a drawback proportioned to the duties were allowed to the exporters; and the extreme difficulty, or rather impossibility of making the drawback the fair equivalent of the duty imposed, opens a wide door for every sort of fraud. In 1834, the gross duty on glass amounted to 904,056*l.*; but of this nearly a third, or 261,305*l.* were drawn back on exportation! And we need not dwell on the folly of collecting an oppressive tax at an immense expense from the manufacturer of an article, and then giving back the third part of it, not to them, but to the exporters of the taxed article.

The entire produce of the glass duties, drawbacks deducted, in the United Kingdom, in 1834, amounted to 643,751*l.*; and deducting from this sum the expenses of collection, which are very heavy, we get the *nett revenue* applicable to public purposes. It can hardly exceed 600,000*l.* a year. Now surely it cannot be said that, for the sake of a paltry sum of this sort, we must depress, and all but ruin, an interesting and important manufacture, capable of an indefinite extension, by burdening it with vexatious, unequal, and oppressive duties. Had the glass duties produced 1,500,000*l.* or 2,000,000*l.* a year, their retention might have been excused by the impossibility of sacrificing, and the difficulty of replacing, so large a sum; but the revenue which they yield might be easily dispensed with. It is

believed that about 50,000 persons are at present employed in the glass manufacture. Were the duty repealed, this number would certainly be increased to 100,000; and the revenue would gain more by their expenditure than ever it can gain by keeping up the existing duties. The Commissioners of Excise Inquiry, after examining minutely and carefully into the whole subject, conclude their Report by "urging the expediency of the repeal of the duty at the earliest possible period, and by expressing our conviction, that *no tax can combine more objections, or be more at variance with all sound principles of taxation, than this duty on glass.*"

Account of the Quantities of Flint, Plate, Broad, Crown, and Bottle Glass charged with Duty, in each Year from 1829 to 1834 respectively, with the Rates of Duty and the Gross and Nett Revenue accruing thereon.

Years.	Flint Glass.	Rate of Duty.	Plate.	Rate of Duty.	Broad.	Rate of Duty.	Crown.	Rate of Duty.	Bottle Glass.	Rate of Duty.	Gross Duty.	Drawback.	Nett Revenue.
	Cwts.	*s.*	*Cwt.*	*s.*	*Cwt.*	*s.*	*Cwt.*	*s. d.*	*Cwt.*	*s.*	*L.* *s.*	*L.* *s.*	*L.* *s.*
1829	79,250	56	14,484	60	6,864	30	114,862	73 6	382,894	7	881,509 18	224,794 17	[illegible]
1830	72,942	"	13,301	"	4,845	"	96,865	"	340,793	"	785,597 1	182,678 4	[illegible]
1831	75,619	"	15,067	"	5,915	"	100,086	"	293,868	"	756,512 0	204,1 2 2	[illegible]
1832	75,771	"	12,270	"	5,304	"	103,902	"	316,282	"	718,097 3	180,505 17	[illegible]
1833	78,390	"	14,501	"	6,306	"	129,984	"	323,201	"	865,353 5	210,104 18	[illegible]
1834	83,328	"	18,922	"	6,766	"	136,708	"	344,017	"	905,056 6	261,305 5	[illegible]

Account of the Exports of Earthenware and Glass in 1833 and 1834, specifying the Quantity and Value of those sent to each Country.

Countries.	EARTHENWARE.				GLASS.							
	1833.		1834.		1833.			1834.				
					Entered by Weight.		At Value.	Entered by Weight.		At Value.		
	Quantities.	Declared Value.	Quantities.	Declared Value.	Quantities.	Declared Value.	Declared Value.	Quantities.	Declared Value.	Declared Value.		
	Pieces.	*L.*	*Pieces.*	*L.*	*Cwts.*	*L.*	*L.*	*Cwts.*	*L.*	*L.*		
Russia	117,971	1,311	80,138	1,037	319	555	60	2,070	2,319			
Sweden	25,499	265	59,770	604	5,879	4,033	-	4,022	3,1[illegible]			
Norway	453,551	3,525	479,352	3,594	57	250	3	71	96			
Denmark	758,675	6,515	742,700	6,381	786	4,161	-	1,067	4,5[illegible]			
Prussia	93,552	934	48,619	487	327	1,321	-	581	1,[illegible]			
Germany	1,053,111	15,236	1,658,169	15,097	6,220	10,774	10	2,194	10,[illegible]	745		
Holland	2,242,600	20,067	2,862,018	24,478	750	4,752	220	9[illegible]	5,8[illegible]	319		
Belgium	1,463,584	8,485	1,042,563	7,137	210	465	60	40	4[illegible]	11		
France	90,150	1,020	119,092	4,315	681	804	-	1,3[illegible]	2,[illegible]	17		
Portugal, Proper	1,218,173	2,417	308,882	4,392	4,275	3,101	-	10,[illegible]	[illegible]	104		
Azores	74,426	929	109,300	1,165	87	335	12	2[illegible]	[illegible]	3		
Madeira	29,522	293	21,459	364	326	353	15	201	1,[illegible]	20		
Spain and the Balearic Islands	430,770	4,606	579,500	4,511	312	783	15	217	3[illegible]	5		
Canaries	60,300	676	72,850	627	17	21	10	[illegible]	[illegible]	13		
Gibraltar	235,393	2,585	231,354	2,437	963	1,503	-	874	2,[illegible]	1		
Italy and the Italian Islands	839,125	12,419	1,039,210	13,135	721	2,311	70	4[illegible]	1,[illegible]	12		
Malta	703,370	4,056	204,692	2,860	688	1,013	-	1,0[illegible]	1,[illegible]	54		
Ionian Islands	99,156	1,121	111,421	1,595	334	451	16	1,1[illegible]	[illegible]	15		
Turkey and Continental Greece (exclusive of the Morea)	469,234	5,317	456,052	6,271	1,056	1,284	-	858	1,10[illegible]	50		
Morea and Greek Islands	1,500	20	2,500	28	-	-	-	17	47			
Egypt (Ports on the Mediterranean)	62,780	813	51,147	702	327	600	-	114	145			
Tripoli, Barbary, and Morocco	-	-	25,400	299	26	26	-	-	-	13		
Western Coast of Africa	449,014	4,461	426,811	4,816	1,351	2,179	504	1,1[illegible]	2,[illegible]	254		
Cape of Good Hope	919,385	8,094	266,410	3,671	4,895	11,063	318	3,3[illegible]	7,[illegible]	788		
Cape Verd Islands	1,500	2	-	-	-	-	-	-	-	-		
St. Helena	29,400	343	21,000	231	301	974	12	5[illegible]	9[illegible]	20		
Mauritius	180,000	2,100	140,700	2,074	-	-	-	[illegible]	[illegible]	-		
Isle of Bourbon	-	-	5,000	61	1,954	2,124	52	1,3[illegible]	1,[illegible]	30		
East India Company's Territories and Ceylon	1,336,773	18,719	1,126,170	16,326	47,605	81,977	3,067	34,[illegible]	7,[illegible]	4,309		
China			12,000	158				1,07[illegible]	2,1[illegible]	180		
Sumatra and Java	247,34[illegible]	3,473	738,621	6,590	1,111	4,511	70	4,[illegible]	7[illegible]			
Philippine Islands	-	-	103,200	1,031	311	311	-	8[illegible]	5,431			
New South Wales, Van Diemen's Land, and Swan River	872,811	10,349	973,362	12,110	12,725	23,163	1,007	13,8[illegible]	35,76[illegible]	2,012		
New Zealand and South Sea Islands	-	-	-	-	27	70	-	-	-			
Ports of Siam	-	-	16,060	250	-	-	-	14[illegible]	1,152			
British North American Colonies	2,202,943	27,445	1,658,055	21,278	20,676	88,229	521	19,[illegible]	[illegible],141	326		
British West Indies	2,190,663	21,845	2,180,017	23,017	21,962	39,595	1,181	2[illegible]	[illegible],412	1,173		
Hayti	681,875	7,165	745,680	8,240	1,041	2,058	-	1,[illegible]	2,[illegible]			
Cuba and other Foreign West Indies	1,932,095	17,642	2,572,414	23,968	5,329	8,676	3	6,[illegible]	[illegible],[illegible]			
United States of America	20,073,886	221,661	15,800,201	198,501	33,570	85,080	1,275	31,[illegible]	9[illegible]	754		
Mexico	262,165	3,969	426,749	6,165	705	1,505	-	[illegible]	[illegible]	80		
Guatemala	-	-	50,000	528	-	-	-	-	-	-		
Columbia	133,921	1,435	268,228	2,905	179	564	492	[illegible]	[illegible]	32		
Brazil	2,950,155	27,169	4,416,187	36,166	11,616	22,571	3	17,[illegible]	[illegible]	92		
States of the Rio de la Plata	770,172	9,377	523,161	5,762	3,198	9,737	10	2,1[illegible]	[illegible]	60		
Chili	332,752	4,859	528,562	8,017	733	2,272	10	1,[illegible]	[illegible]	260		
Peru	315,780	5,226	388,630	5,569	1,320	3,735	-	1,[illegible]	[illegible]	23		
Isles of Guernsey, Jersey, Alderney, and Man	357,303	4,508	371,650	4,259	4,080	6,259	85	5,[illegible]	6,[illegible]	416		
Total	46,258,549	496,963	44,015,623	493,382	199,125	436,[illegible]	9,241	1[illegible]	[illegible]	12,176		

SECT. IX. *Paper Manufacture.*

The application of paper to the purposes of writing and printing, and the fact of its being indispensable to the prosecution of the latter, render its manufacture of the highest utility and importance. But even in a commercial point of view, its value is very considerable. France, Holland, and Genoa had, for a lengthened period, a decided superiority in this department. The finest and best paper being made of linen rags, its quality may be supposed to depend, in a considerable degree, on the sort of linen usually worn in the country where it is manufactured; and this circumstance is said to account for the greater whiteness of the Dutch and Belgian papers, as compared with those of the French and Italians, and still more of the Germans. The rags used in the manufacture of writing paper in Great Britain are collected at home; but those used in the manufacture of the best printing paper are imported principally from Italy, Hamburgh, and the Austrian states by way of Trieste.

We believe, however, that it was owing rather to the want of skill, than, as has sometimes been supposed, to the inferior quality of the linen of this country, that the manufacture of paper was not carried on with much success in England till a comparatively recent period. During the 17th century, most part of our supply was imported from the Continent, especially from France. The manufacture is said to have been considerably improved by the French refugees who fled to this country in 1685. But it is distinctly stated in the *British Merchant* (vol. ii. p. 266.), that hardly any sort of paper, except brown, was made here previously to the Revolution. In 1690, however, the manufacture of white paper was attempted; and, within a few years, most branches were much improved. In 1721, it is supposed that there were about 300,000 reams of paper annually produced in Great Britain, which was equal to about two thirds of the whole consumption. In 1783, the value of the paper annually manufactured was estimated at 780,000*l.* At present, besides making a sufficient quantity of most sorts of paper for our own use, we annually export about 100,000*l.* worth of books. We still, however, continue to import certain descriptions of paper for engravings from France, and a small supply of paper hangings. The duty on both amounts to about 2,800*l.* a year.

In 1813, Dr. Colquhoun estimated the value of paper annually produced in Great Britain at 2,000,000*l.*; but Mr. Stevenson, an incomparably better authority upon such subjects, estimated it at only half this sum. From information obtained from those engaged in the trade, we incline to think that the total annual value of the paper manufacture in the United Kingdom, exclusive of the duty, may at present amount to about 1,200,000*l.* or 1,300,000*l.* There are about 700 paper mills in England, and from 70 to 80 in Scotland. The number in Ireland is but inconsiderable. About 27,000 individuals are supposed to be directly engaged in the trade; and besides the workmen employed in the mills, the paper manufacture creates a considerable demand for the labour of millwrights, machinists, smiths, carpenters, iron and brass-founders, wire-workers, woollen manufacturers, and others, in the machinery and apparatus of the mills. Some parts of these are very powerful, and subject to severe strain; and other parts are complicated and delicate, and require continual renovation. Owing to this, the manufacture is of much greater importance, as a source of employment, than might at first be supposed, or than it would seem to be considered by government, who have loaded it with an excise duty amounting to more than three times as much as the total wages of the work-people employed!

The modern discoveries in chemical science have not only materially facilitated the manufacture, but have greatly enlarged the supply of materials

from which paper may be made. Until within these few years the refuse and sweepings of cotton mills, owing to the grease and dirt with which they are mixed up, were of no value whatever, except as manure. But means having been discovered of purifying them, they are now made into very good paper; and the neighbourhood of Manchester has in consequence become a principal seat of the manufacture. During the present century, so remarkable for improvements in the arts, this manufacture has been signally promoted, notwithstanding the excise regulations, by the application of machinery to the conversion of pulp into paper. The first idea of this originated in France; a model of the machinery was brought to this country by M. Didot, which, though very far from giving assurance of success, was yet sufficient to induce English capitalists and engineers, particularly Mr. Donkin, to follow up the scheme; and, in the course of a few years, they have brought it to a high degree of perfection. Mr. Dickinson of Hertfordshire, one of the most intelligent mechanists and the most extensive paper manufacturer in England, has invented a machine of a different construction for the same purpose, and has also introduced various subsidiary improvements into the manufacture. The result is all but miraculous. By the agency of a great deal of complicated machinery, so admirably contrived as to produce the intended effect with unerring precision, and in the very best manner, a process which, in the old system of paper-making, occupied about three weeks, is performed in as many minutes! A continuous stream of fluid pulp is, within this brief space of time, and the short distance of thirty feet, not only made into paper, but actually dried, polished, and every separate sheet cut round the edges, and rendered completely ready for use! The paper manufactured by this wonderful combination of intelligence and power is at once moderate in price, and for most purposes superior in quality to that which was formerly made by hand. Mr. Dickinson has very recently made an important improvement in the paper manufacture, on the principle of veneering in cabinet-work. He makes two webs of paper, each by a separate process, and by laying them together while in an early stage, they are rendered inseparable by the pressure to which they are subjected. This paper is used in copper-plate printing; and by adopting a peculiar method of preparing the pulp, and selecting a finer rag for the web which forms the face of the paper, it is much better calculated for taking a fine impression. This admirable invention has put nearly a total stop to the importation of French paper, which was formerly used in considerable quantities by copper-plate printers. — (*M'Culloch's Commercial Dictionary*, art. PAPER.)

Duties. — An excise duty was imposed on paper so early as 1711, which, after many fluctuations, was fixed, in 1803, as follows: viz., first class paper 3*d.* per lb.; second class paper, or that "made of old ropes or cordage only," 1½*d.* per lb.; there are also duties on millboard and paste-board. A drawback is allowed on the exportation of paper, of the full amount of these duties, and they are also remitted on the paper used in the printing of bibles. The nett produce of the duties amounts, at present, to about 700,000*l.* a year.

The duty is justly objected to as being oppressive in amount, and as imposed on a principle that necessarily occasions a great deal of injustice, and gives birth to much fraud. On the finer sorts of writing paper the duty is no less than 40 per cent., and on the inferior sorts of wrapping paper it amounts to 200 per cent. Such a duty must obviously be a great discouragement to literature; and, besides its magnitude, it operates unfairly and unjustly on authors and publishers, subjecting them to burdens from which all other classes of producers are exempted. The duties on the paper used in the printing of books have to be paid before the paper is sent to press, and, consequently, whether the book sell or not. When a book sells well, the duty may be only a reasonable deduction from the profits of the author and publisher; but when, as is actually the case with the greater number of works printed, the book does not sell to any considerable extent, and in many instances does not even defray its expenses, the duty becomes most oppressive; and instead of being a

reasonable deduction from their profits, has to be either partially or wholly defrayed out of the capital of those engaged in bringing it out.

As it would be quite impracticable to put booksellers under the control of the excise, and to charge the duty only on the copies of works sold at a remunerating price, it will, we apprehend, be impossible to get rid of this injustice otherwise than by abolishing the duty. But though not wholly obviated, it would be very materially mitigated by the reduction of the duty on first class paper to half its present amount; and as this reduction has been strongly recommended by the Commissioners of Excise Inquiry, we hope it may be adopted. Such a measure would be a great relief to the printers and publishers of the smaller and cheaper class of periodical publications; while, owing to the great increase of consumption that it would certainly occasion, it may be doubted whether the revenue would lose anything; perhaps it would be augmented. If a great sacrifice of revenue were to be incurred, the case would be different. But it is not to be endured that important manufactures should be depressed and injured by oppressive duties, when it is all but certain that nothing, or next to nothing, would be lost by their modification.

The commissioners have further recommended that the distinction between first and second class paper should be abolished, and that all paper should be subjected to the same duty of $1\frac{1}{2}d.$ per lb. Of the wisdom of this recommendation we entertain no doubt. Second class paper ought to be made "*out of old ropes or cordage without separating or extracting the pitch or tar,*" and from nothing else whatever! But many sorts of articles that are now used as substitutes for rags in the making of paper, may be bought for a half or a third of the price of old ropes; and it is sufficiently established that they are very largely employed by many of the manufacturers of second class paper. Nothing, indeed, can be more absurd, more completely opposed to all sound principle, than to attempt to prevent the manufacturer from using the cheapest materials; and though it were otherwise, it is not possible to enforce the regulation. It is, in fact, obeyed by those only who choose to respect the law, and may, with little difficulty, be evaded by all who do not. "The improvements," say the Commissioners, "in the machinery and processes employed in the preparation of all kinds of paper, and especially the improved maceration of the pulp in the vats or engines, renders it extremely difficult to distinguish the nature of the original materials; and, at the same time, the means of identifying the second class paper by the smell of tar remaining in the old ropes has been entirely defeated, through the application of a process by which, though the letter of the law is adhered to, in not extracting the substance of the tar, the intention is defeated by the smell being completely neutralised; and the manufacturer is thus enabled to prepare, from the materials prescribed for the second class paper, an article in all respects equal to many of the kinds of paper belonging to the first class. The consequence is, that the person who manufactures paper of this description, under the name of second class, is enabled to take a double advantage of honest manufacturers of first class paper: first, by using materials of a much cheaper description than those prescribed by law; and, secondly, by paying half the duty he ought to pay." — (*Report*, p. 11.) The equalisation of the duty will put an end to frauds of this sort; and will leave every one at liberty to use such articles in the manufacture as he may think most suitable.

Stained Paper. — The Commissioners further recommend the total abolition of the duty of $1\frac{3}{4}d.$ per square yard, charged on all stained or printed paper over and above the original duty charged on the paper so prepared. This duty was imposed by the same statute that imposed the duty on printed cottons; and ought to have been repealed along with the latter. It is most oppressive. A duty of $1\frac{3}{4}d.$ per square yard is equivalent to a duty of *1s.* per lb.; and as the paper used by the stainers pays the first class duty, it follows that, when finished, it is loaded with the enormous duty of *1s. 3d.* per lb.! Were it not for the duty, printed paper would be so very cheap that it might be used even in the poorest houses; and its more general diffusion would be productive of an increase of comfort and cleanliness not easy to be imagined.

This duty produced, in 1834, 63,792*l.* And it cannot surely be supposed that the disinclination to sacrifice a petty sum of this sort, will be allowed to stand in the way of the many advantages that would result from the abolition of the duty.

A Return of the Number of Pounds Weight of Paper, made in each Collection of Excise, for the United Kingdom, during the Year ended 5th January, 1835; distinguishing the Qualities, whether of the First or Second Class; with the Amount of Duty thereon.

ENGLAND.

Collections.	First Class.	Second Class.	Amount of Duty.
	Lbs.	*Lbs.*	*L. s. d.*
Barnstable	140,668	46,386	2,018 5 3
Bath	531,585	145,769	7,596 17 4½
Bedford	82,965	9,539	1,096 13 7½
Bristol	397,185	1,593	4,974 4 10½
Cambridge	705,485	2,571	8,834 12 7½
Canterbury	983,956	322,411	14,314 10 4½
Chester	468,425	14,518	6,152 6 0
Cornwall	186,164	296,513	4,182 2 7½
Coventry	450,117	39,258	2,121 16 6
Cumberland	237,392	15,487	3,064 3 10½
Derby	654,549	90,002	8,491 17 6
Dorset	35,741	75,001	915 10 9
Durham	1,242,203	497,273	18,635 9 10½
Essex	21,275	209	267 4 10½
Exeter	1,802,335	1,147,293	29,699 15 4½
Gloucester	176,645	67,330	2,628 17 6
Grantham	84,615	34,871	1,275 11 7½
Halifax	2,108,402	1756,906	31,335 13 9
Hants	1,612,403	347,329	22,325 16 10½
Hereford	834,747	915,887	16,146 2 7½
Hertford	158,985		1,987 5 9
Hull	16,536	21,611	341 15 4½
Isle of Wight	145,999	32,426	2,027 13 0
Lancaster	2,246,339	223,552	29,476 6 3
Leeds	1,456,947	798,336	23,201 8 9
Lichfield	332,167	232,803	5,607 2 1½
Lincoln	207,738	83,479	3,118 14 4½
Liverpool	411,362	145,310	6,950 4 3
Lynn	644,738	212,632	9,388 3 6
Manchester	3,339,726	1,858,312	53,361 0 6
Newcastle	1,211,638	2,442,866	30,788 7 9
Northampton	210,229	10,733	2,691 18 10½
Northwich	640,252	272,158	9,704 5 3
Norwich	296,748	124,062	4,609 15 4½
Oxford	893,444	11,433	11,239 10 1½
Plymouth	411,396	255,091	6,736 15 4½
Reading	2,464,052	712,380	35,252 15 6
Rochester	4,618,533	695,177	62,076 10 10½
Salisbury	376,768	29,595	4,894 11 4½
Salop	27,727	30,433	1,161 15 10½
Sheffield	610,768	520,180	10,885 14 6
Stafford	225,036	12,731	2,892 10 4½
Stourbridge	35,424	33,980	655 3 6
Suffolk	85,799	125,967	1,859 15 7½
Surrey	172,188		2,152 7 0
Sussex	456,544	17,636	5,836 12 3
Uxbridge	7,726,565	10,487	96,647 12 1½
Wales, East	62,969	26,408	952 3 3
North	194,840	45,536	2,717 12 0
West	99,805	73,200	1,705 1 3
Wellington	120,611	59,860	1,852 7 9
Whitby	647,491	205,649	9,128 17 9
Worcester	181,536	725	2,275 14 7½
York	88,447	30,848	1,298 7 9
Country Collections	45,698,915	14,210,121	634,174 13 10½
London	1,084,631	970	13,563 19 0
Total	44,713,546	14,211,091	647,738 12 10½

SCOTLAND.

Collections.	First Class.	Second Class.	Amount of Duty.
	Lbs.	*Lbs.*	*L. s. d.*
Aberdeen	1,014,768	215,537	14,219 4 1½
Ayr	255,819	278,218	4,936 19 6
Dumfries	22,781	10,355	349 10 4½
Fife	491,586	7,696	6,192 18 3
Glasgow	1,017,117	125,741	13,874 16 10
Haddington	3,380,744	21,805	42,395 11 7½
Linlithgow	266,076	185,193	4,183 8 1½
Perth	9,277	1,952	128 3 3
Stirling	306,569	344,548	6,984 5 9
Edinburgh	671,781	662,724	12,539 8 9
Total	7,466,550	1,883,569	105,101 3 7½

IRELAND.

Collections.	First Class.	Second Class.	Amount of Duty.
	Lbs.	*Lbs.*	*L. s. d.*
Armagh	10,984	29,569	322 3 1½
Coleraine	247,731	51,377	3,623 19 10½
Cork	162,631	38,138	2,271 3 0
Drogheda	22,720		284 0 0
Galway	182,141		2,276 15 3
Limerick	21,960	13,225	357 3 1½
Lisburn	61,020	17,138	869 17 3
Londonderry	5,582	13,353	153 4 7½
Mallow	21,807	30,618	501 12 9
Naas	1,033,838	102,321	13,562 9 7½
Waterford	91,207	128,739	1,914 14 1½
Dublin	9,001		112 11 0
Total	1,873,625	457,508	26,279 14 9

TOTALS.

Collections.	First Class.	Second Class.	Amount of Duty.
	Lbs.	*Lbs.*	*L. s. d.*
England	44,713,546	14,211,091	647,738 12 10½
Scotland	7,466,550	1,883,569	105,101 3 7½
Ireland	1,873,625	457,508	26,279 14 9
The United Kingdom	54,053,721	16,552,168	779,122 11 3

An Account of the Quantities of the different Sorts of Paper charged with Duties in 1833 and 1834, the Rates of Duty on such Paper, the Gross and Nett Produce of the Duties, the Drawback on the Paper exported, and the Cost per Cent. at which the Nett Revenue is collected, separating the Accounts of England, Scotland, and Ireland.

	Quantities charged with Duty.							Gross Produce.	Nett Produce.	Drawbacks on Paper Exported.	Allowances to the Universities, King's Printer, Patentees &c.
	First Class Paper.	Rate per lb.	Second Class Paper.	Rate per lb.	Millboard, Glazed Paper, &c.	Rate per Cwt.	Pasteboard.	Rate per Cwt.				
1833.	*Lbs.*	*d.*	*Lbs.*	*d.*	*Cwts.*	*s.*	*Cwts.*	*s.*	*L.*	*L.*	*L.*	*L.*
England	42,255,481	3	14,198,390	1½	1,753 22,227	28 21	10,531 3,029	28 14	665,591	621,774	30,247	13,570
Scotland	7,317,769	"	1,770,225	"	3,610	"	2,487 2,151	28 14	111,561	100,927	8,639	2,875
Ireland	1,888,590	"	508,490	"	518	"	22	28	27,362	26,678	649	35
Totals	51,941,800	"	16,477,105	"	28,138	"	18,523	"	804,514	748,479	39,535	16,150
1834.												
England	44,713,546	3	14,211,091	1½	1,575 24,423	28 21	10,021 2,719	28 14	691,941	639,467	36,789	15,685
Scotland	7,466,550	"	1,883,569	"	3,647	21	2,699 3,733	28 21	115,201	105,891	6,160	2,850
Ireland	1,873,62	"	457,508	"	29 322	28 21	7 8	28 14	26,677	25,801	876	
Totals	54,053,721	"	16,552,168	"	30,296	"	19,102	"	833,823	771,163	44,125	18,535

A drawback of the duty on paper is allowed on all books exported. The declared value of such export in 1834 was 122,595*l.*

Sect. X. *Malt, Breweries and Distilleries.*

The establishments connected with the conversion of grain into fermented and distilled liquors are of much greater magnitude in Great Britain than in any other country. Owing to the want of wine as a native product, and to the heavy duties that have always been laid upon it when imported, the common beverage of the great bulk of the people has always consisted of fermented or distilled liquors, obtained either from malted or from raw grain. The manufacture of malt, beer, and spirits is important, not only from the amount of capital employed in the business, and the value of the products, but also because the duties on them constitute an important item of the public revenue.

Malt. — The process followed in the manufacture of malt is very simple; and has been carried on for a very long period nearly in the same manner in which it is conducted at present. It is succinctly described in the Report of the Commissioners of Excise Inquiry on Malt.

Description of the Process of Malting. — "Barley is the grain generally used, but oats and other grain, and pulse, viz. beans and peas, are sometimes used for the purpose; and the process commences with wetting or steeping the same in an oblong or square vessel called a cistern. Sometimes the grain is first put into the cistern and then covered with water, at other times the water is first put in and the grain added afterwards.

"Very soon after the grain has been covered with water, it begins to swell and increase in bulk, and continues to do so pretty regularly until it reaches its maximum. The amount of the swell depends not only upon the length of time the grain remains in the steep covered with water (which by law can in no case be less than forty hours), but also upon its quality, and state of dryness before put in steep, and must of course be expected to vary; but the law presumes that the swell will amount to 17½ bushels for every 82½ bushels before steeped.

"The grain, after being steeped, and the water drawn off, is thrown out of the cistern into a square or oblong utensil called a couch-frame, in which it is required by law to remain for the space of 26 hours at the least. Immediatcly after the expiration of 26 or 30 hours, as the case may be, the grain in operation is said to be on the floor; and during the time it remains on the floor it undergoes a variety of changes.

"1st. The grain at a certain period (which varies according to circumstances) becomes moist, and emits a rather agreeable smell, and soon after this period the roots begin to make their appearance.

"2d. The acrospire or future stem begins to swell, and gradually advances under the husk from the same end where the roots are observed to spring, till it nearly reaches the other extremity of the grain.

"3d. The kernel, as the acrospire advances through it, becomes friable, and sweet-tasted, and the whole art of malting depends upon the proper regulation of these changes. In a day or two after the grain has been thrown out of the cistern, the roots begin to appear at the end of each kernel in the shape of a small white protuberance, which soon divides itself into distinct fibres or rootlets. The grain about this time appears moist on the outside, which is called *sweating*, and which usually goes off in a day or two.

"In about a day, generally, after the spreading of the roots, the rudiments of the future stem may, by splitting the grain, be seen to lengthen. It rises from the same extremity with the root, and, advancing with the husk, would at last issue from the opposite end of the grain, and assume the form of a green blade of grass; but the process of malting is brought to a conclusion some time before the stem has made such progress as to burst the husk.

"As the germination proceeds, the grain is gradually spread thinner on the floor;

and when the moisture has been in some degree evaporated, and the germination has thereby been checked, it is again gradually laid thinner to wither. Maltsters differ much in their manner of working, which is affected also by the state of the weather.

"The grain, having thus germinated to the extent required, is put upon the kiln, and heat applied by means of a fire, which is regulated according to circumstances; and when the malt has attained the requisite state of dryness, it is thrown off the kiln, the process being then finished."

The first of the following Tables shows the quantity of malt annually made in England and Wales since 1702, with the rates of duty charged upon it, and the produce of the duties. There are similar accounts for Scotland and Ireland; the one commencing with 1793, and the other with 1790.

Account of the Quantities of Malt charged with Duty in England and Wales, of the Revenue received thereon, and of the Rates of Duty, in each Year, from 1702 to 1834.

Years.	Number of Bushels of Malt.	Amount of Duty. £.	s.	d.	Rate of Duty per Bushel.
1702	12,166,776	513,907	5	0	$6\frac{16}{21}$d.
1703	26,754,503	691,577	4	11	—
1704	19,765,012	513,735	4	4	—
1705	27,130,282	702,957	17	1	—
1706	23,099,630	599,477	3	7	—
1707	25,002,855	648,846	15	2	—
1708	23,209,966	602,837	5	0	—
1709	20,275,385	527,355	19	10	—
1710	19,671,021	511,954	10	6	—
1711	22,265,126	578,839	19	1	—
1712	22,513,483	580,168	16	7	—
1713	25,060,659	650,932	14	4	—
1714	20,019,767	520,771	7	0	—
1715	24,472,610	635,330	18	6	—
1716	26,613,119	691,293	18	3	—
1717	28,329,926	748,583	19	6	—
1718	26,862,157	697,166	1	3	—
1719	28,228,627	732,535	7	8	—
1720	25,625,844	665,527	1	9	—
1721	28,587,391	741,901	0	6	—
1722	32,999,688	855,860	18	7	—
1723	30,655,698	795,559	8	0	—
1724	24,227,867	629,502	12	2	—
1725	27,265,172	707,467	12	3	—
1726	27,016,303	700,933	19	1	—
1727	25,401,576	659,331	15	5	—
1728	20,951,209	544,157	12	8	—
1729	23,032,246	597,837	5	11	—
1730	28,410,421	736,585	8	0	—
1731	25,833,240	670,180	4	3	—
1732	26,980,568	699,581	8	7	—
1733	29,295,100	774,169	2	9	—
1734	27,087,437	702,291	16	3	—
1735	25,494,686	661,259	17	3	—
1736	25,661,561	613,919	1	0	—
1737	24,491,366	635,278	9	4	—
1738	26,145,413	677,866	0	2	—
1739	26,716,197	692,787	2	0	—
1740	22,074,674	573,059	9	7	—
1741	20,141,251	522,182	5	4	—
1742	23,579,389	671,011	6	3	—
1743	26,298,391	681,740	7	11	—
1744	31,776,789	822,943	12	5	—
1745	24,917,869	645,998	13	5	—
1746	23,955,350	621,048	17	10	—
1747	24,886,367	645,929	4	1	—
1748	26,422,650	684,653	10	8	—
1749	24,966,250	646,916	18	5	—
1750	29,238,786	758,396	18	1	—
1751	26,994,880	699,318	11	8	—
1752	24,280,058	629,384	13	7	—
1753	26,240,816	654,420	16	1	—
1754	27,347,890	708,255	4	1	—
1755	27,916,402	722,752	2	5	—
1756	24,120,284	624,852	4	9	—
1757	17,640,926	457,719	16	8	—
1758	25,067,614	648,173	14	6	—
1759	28,090,252	727,158	16	7	—
1760	27,810,971	999,818	11	11	$6\frac{16}{21}$d.-$9\frac{2}{21}$d.
1761	28,928,960	1,125,040	17	2	$9\frac{2}{21}$d.
1762	25,951,676	1,007,851	13	11	—
1763	19,557,812	760,388	16	4	—
1764	26,331,702	1,023,554	9	3	—
1765	25,631,086	996,756	19	8	—
1766	20,823,576	810,541	16	10	—
1767	21,894,498	851,648	11	10	—
1768	27,124,938	1,054,188	0	10	—
1769	26,546,052	1,031,799	11	2	—
1770	24,452,960	950,827	12	6	—
1771	21,961,057	854,344	11	6	$9\frac{2}{21}$d.
1772	27,538,150	1,070,125	14	9	—
1773	21,467,988	835,713	9	10	—
1774	25,919,905	931,968	14	2	—
1775	24,967,360	971,085	8	2	—
1776	25,536,298	1,021,336	2	5	—
1777	25,814,436	1,001,050	9	3	—
1778	26,318,736	1,022,950	9	1	—
1779	26,273,405	1,028,083	1	6	$9\frac{2}{21}$d.-$9\frac{16}{21}$d.
1780	30,805,100	1,534,464	14	5	$9\frac{2}{21}$d.-1s. $1\frac{4}{21}$d.
1781	26,718,048	1,817,556	7	4	1s. $4\frac{4}{21}$d.
1782	27,159,101	1,846,108	11	10	—
1783	16,712,114	1,138,782	16	0	—
1784	25,796,105	1,745,953	19	8	—
1785	26,269,139	1,777,917	15	2	—
1786	22,074,334	1,493,518	2	3	—
1787	26,439,578	1,789,780	3	9	—
1788	26,018,022	1,761,277	17	8	—
1789	23,509,592	1,591,463	15	6	—
1790	21,976,959	1,487,775	6	0	—
1791	27,070,363	2,092,191	15	10	1s. $4\frac{4}{21}$d.-1s. $7\frac{6}{21}$d.
	Stock in hand	46,716	18	3	
1792	27,789,166	2,112,950	12	10	1s. $7\frac{6}{21}$d.-1s. $4\frac{4}{21}$d.
1793	23,796,765	1,691,717	9	9	1s. $4\frac{4}{21}$d.
1794	24,813,341	1,679,222	8	6	—
1795	23,960,822	1,620,515	7	6	—
1796	27,282,973	1,816,819	5	9	—
1797	29,979,110	2,029,319	7	11	—
1798	26,143,432	1,769,176	13	11	—
1799	30,805,822	2,083,701	14	0	—
1800	14,049,749	950,496	18	5	—
1801	18,005,786	1,218,155	16	7	—
1802	29,432,584	2,175,106	18	4	1s. $4\frac{4}{21}$d.-2s. 5d.
	Stock in hand	466,633	8	7	
1803	29,562,033	3,555,906	18	0	2s. 5d.-4s. $5\frac{4}{21}$d.
1804	24,854,111	4,858,056	9	3	4s. $5\frac{4}{21}$d.
	Stock in hand	914,356	0	0	
1805	21,665,204	4,811,066	15	0	—
1806	26,652,425	5,955,716	0	0	—
1807	24,158,813	5,397,635	6	4	—
1808	21,726,415	4,854,698	2	4	—
1809	22,120,984	4,942,771	7	8	—
1810	23,516,346	5,261,362	12	0	—
1811	26,982,749	5,806,251	15	0	—
1812	18,092,965	4,042,716	16	4	—
1813	21,701,356	4,849,119	5	0	—
1814	25,320,615	5,657,228	8	4	—
1815	26,246,793	5,865,006	18	8	—
1816	21,158,318	4,727,259	13	1	4s. $5\frac{4}{21}$d.-5s. 5d.
1817	20,855,566	2,509,817	18	4	2s. 5d.
1818	21,629,838	2,961,024	12	10	—
1819	22,612,290	3,268,881	3	2	2s. 5d.-3s. $7\frac{6}{21}$d.
	Stock in hand	420,263	8	8	—
1820	23,884,212	4,311,446	5	1	3s. $7\frac{6}{21}$d.
1821	26,138,137	4,718,760	10	0	—
1822	26,688,512	3,621,212	8	0	3s. $7\frac{6}{21}$d.-2s. 7d.
1823	24,845,152	3,203,502	17	6	2s. 7d.
1824	27,615,353	3,560,693	0	0	—
1825	29,572,741	3,813,052	7	6	—
1826	27,333,971	3,530,897	10	8	—
1827	25,096,337	3,241,610	3	11	—
1828	30,517,819	3,941,884	19	1	—
1829	23,428,133	3,026,153	19	6	—
1830	26,900,902	3,171,699	16	10	—
1831	32,963,470	4,257,781	10	10	—
1832	31,669,771	4,090,678	15	1	—
1833	33,789,010	4,361,113	15	10	—
1851	34,449,646	4,449,745	0	0	—

Account of the Quantities of Malt charged with Duty in Scotland, of the Revenue received thereon, and of the Rates of Duty, in each Year, from 1793 to 1834.

Years.	Number of Bushels of Malt.	Amount of Duty.	Rate of Duty per Bushel.		Years.	Number of Bushels of Malt.	Amount of Duty.	Rate of Duty per Bushel.	
		L.					L.	From Barley.	From Bigg.
1793	1,715,381	58,164	1	8¾d.	1814	1,266,852	231,776	3s. 9½d.	—
1794	1,675,741	56,823	—		1815	1,297,777	236,859	—	—
1795	1,692,946	57,419	—		1816	1,162,094	164,745	3s. 9¼d.-1s. 8¾d.	3s. 1¾d.-1s. 8¾d.
1796	1,203,023	40,829	—		1817	1,093,678	94,599	1s. 8¾d.	1s. 8¾d.
1797	2,085,672	79,670	—		1818	1,390,515	120,274	—	—
1798	1,934,396	65,550	—		1819	1,454,320	179,266	1s. 8¾d.-3s. 7¼d.	1s. 8¾d.-3s. 7¼d.
1799	2,365,897	80,075	—			Stock in hand	17,739		
1800	876,598	29,670	—	—	1820	1,182,208	212,282	3s. 7¼d.	3s. 7¼d.-3s. 1d.
1801	607,334	20,560	—	—	1821	1,305,659	231,606	—	3s. 1d.-2s. 10d.
1802	1,716,278	70,527	8¾d.-11s. 8¾d.		1822	1,403,177	183,032	3s. 7¼d.-2s. 7d.	2s.10d.-1s.9¼d. - 2s.
	Stock in hand	20,389			1823	1,616,590	198,696	2s. 7d.	2s.
1803	1,594,284	137,878	11s. 8¾d.		1824	2,788,608	335,505	—	—
			Barley.	Bigg.	1825	3,925,847	462,144	—	—
1804	1,091,377	197,587	3s. 9¼d.	3s. 1¼d.	1826	2,726,555	333,574	—	—
	Stock in hand	34,808	—	—	1827	2,714,073	335,489	—	—
1805	1,136,112	206,935	—	—	1828	3,867,159	478,508	—	—
1806	1,244,104	225,642	—	—	1829	3,712,563	457,588	—	—
1807	1,259,298	226,647	—	—	1830	4,101,946	505,651	—	—
1808	1,048,946	189,934	—	—	1831	4,186,955	515,579	—	—
1809	772,758	139,852	—	—	1832	3,714,534	458,096	—	—
1810	820,294	149,206	—	—	1833	4,502,056	550,358	—	—
1811	1,012,236	184,832	—	—	1834	4,491,292	555,567	—	—
1812	934,452	169,070	—	—					
1813	685,244	123,705	—	—					

Account of the Quantities of Malt charged with Duty in Ireland, of the Revenue received thereon, and of the Rates of Duty, in each Year, from 1790 to 1834.

Years.	Number of Bushels of Malt.	Amount of Duty.	Rate of Duty per Bushel.	Years.	Number of Bushels of Malt.	Amount of Duty.	Rate of Duty per Bushel.
		L.				L.	
1790	4,607,953	135,496	7d.	1811	2,681,842	341,723	2s. 6¾d.
1791	4,775,390	140,412	—	1812	2,206,206	281,117	—
1792	4,676,835	137,582	—	1813	2,967,663	428,830	2s. 6¾d.-3s. 3¾d.
1793	5,039,899	148,197	—		Stock in hand	65,106	
1794	4,873,984	186,315	9¼d.	1814	3,156,175	522,813	3s. 3¾d.
	Stock in hand	17,672		1815	2,664,466	482,685	3s. 3¾d.-4s. 5d.
1795	4,697,153	290,051	1s. 3d.		Stock in hand	122,233	
	Stock in hand	36,761		1816	1,879,721	359,809	4s. 5d.-2s. 4¼d.
1796	4,956,584	306,070	—	1817	1,385,486	164,771	2s. 4¼d.
1797	4,672,989	288,558	—	1818	1,783,636	211,930	—
1798	4,413,817	313,661	1s. 5d.	1819	1,742,444	207,036	—
	Stock in hand	19,768		1820	1,793,671	319,684	3s. 6¾d.
1799	3,311,465	253,170	1s. 6¾d.		Stock in hand	45,974	
	Stock in hand	12,286		1821	1,949,315	347,424	—
1800	681,340	52,090	—	1822	1,756,391	275,614	3s. 6¾d.-2s. 7d.
1801	1,030,175	78,760	—	1823	1,702,395	217,302	2s. 7d.
1802	3,611,579	276,115	—	1824	2,107,752	276,255	—
1803	3,553,762	283,584	1s. 6¼d.-1s. 9¼d.	1825	2,706,862	356,108	—
	Stock in hand	31,162		1826	2,406,252	310,808	—
1804	2,807,535	270,036	1s. 9¼d.-2s. 3¼d.	1827	1,805,091	232,429	—
	Stock in hand	28,698		1828	2,409,228	311,192	—
1805	2,766,867	317,299	2s. 3¼d.	1829	2,012,079	259,894	—
1806	2,814,418	334,105	2s. 3¼d.-2s. 6¾d.				From Barley. / From Bigg.
	Stock in hand	22,220		1830	1,959,606	251,646	2s. 7d. / 2s.
1807	2,372,293	302,281	2s. 6¾d.	1831	2,101,844	263,308	— / —
1808	2,597,758	331,010	—	1832	2,006,350	250,278	— / —
1809	2,958,617	376,991	—	1833	1,984,849	245,987	— / —
1810	2,522,543	321,425	—	1834	2,204,653	272,291	— / —

The manufacture of malt has been carried on in England to a great extent from a very early period; but it is singular that, notwithstanding the products obtained from it have always formed the principal beverage of the great bulk of the people, the consumption of malt varied very little from the beginning of the last century till within the last half dozen years! This extraordinary result, so different from what would have been *à priori* anticipated, is ascribable partly to the increase of the duties laid on malt, but still more to the greater increase of those laid on beer, its principal product. No doubt, however, it has been partly also occasioned by the change that has taken place in the mode of living, by the introduction and universal use of tea, coffee, and other articles, substituted in the place of beer. But the increase that has taken place in the consumption of malt since the reduction of the duty on it in 1822 and the repeal of the beer duty in 1830, seems to prove that the duties were, at least, quite as instrumental in checking the consumption as the introduction of the articles alluded to.

Breweries. — The establishments in Great Britain for the manufacture of beer, particularly those in the metropolis, are, many of them, of great magnitude, and employ a large amount of capital. The latter principally produce *porter*, the favourite beverage of the Londoners. This is a peculiar species of beer, of a bitterish taste, and a dark colour, both of which it derives from its being prepared from malt dried at a high temperature, and in some degree charred. Ale is produced from pale malt, or malt dried at a very low temperature. Edinburgh, Burton-on-Trent, and several districts of England are celebrated for the superiority of their ale.

A duty was imposed on the beer produced at public breweries so early as 1660, and was continued down to 1830, when it was repealed. We subjoin an

Account showing the Quantity of the different Sorts of Beer made respectively in England and Scotland, in each Year, from 1820 to 1830, with the Rates of Duty on each, and the Annual Produce of the Duties.

	England.				Scotland.			
Years.	Strong Beer.	Table Beer.	Intermediate Beer.	Amount of Duty.	Strong Beer.	Table Beer.	Intermediate Beer.	Amount of Duty.
	Barrels.	*Barrels.*	*Barrels.*	*L. s. d.*	*Barrels.*	*Barrels.*	*Barrels.*	*L. s. d.*
1820	5,666,817	1,518,895	" "	2,838,149 1 1	123,114	207,983	Nil.	80,972 6 0
1821	5,969,891	1,528,575	" "	2,987,366 8 6	128,939	219,546	—	85,060 4 0
1822	6,306,987	1,576,915	" "	3,153,661 5 7	128,107	227,178	—	85,117 12 0
1823	6,395,835	1,485,015	7,018	3,190,908 12 8	119,292	226,332	—	80,532 8 0
1824	6,660,968	1,514,018	15,660	3,326,277 14 2	118,813	239,956	—	81,891 10 0
1825	7,014,395	1,606,899	6,160	3,495,597 9 1	133,903	261,035	—	91,731 2 2
1826	6,697,135	1,603,653	2,707	3,268,655 9 9	122,158	271,335	—	79,940 0 1
1827	6,405,302	1,532,308	47,158	3,131,662 6 0	112,067	241,293	—	72,877 0 10
1828	6,570,310	1,530,419	62,617	3,222,807 2 11	118,943	247,413	—	76,994 16 8
1829	5,961,018	1,380,469	55,498	2,923,113 1 5	111,071	229,381	—	71,786 19 5
1830	3,570,332	1,066,262	41,834		75,262	178,011	—	

The *rates of duty* were, throughout this whole period, on strong beer 9*s.* 10*d.*, on table ditto 1*s.* 11½*d.*, and on intermediate ditto 4*s.* 11*d.* per barrel. The beer duty did not extend to Ireland.

The beer duties having ceased in 1830, there are no means of determining the quantities that have been brewed in the interval. There can, however, be no doubt of their having been materially augmented. The increased consumption of malt, more than three fourths of which is used by brewers and victuallers, proves that such is the fact. From about 1,800,000 to 2,000,000 barrels of beer are annually produced by the great porter breweries of London. The largest of these establishments belongs to Messrs. Barclay, Perkins, and Co., being, in all respects, framed on the most gigantic scale. It formerly belonged to Mr. Thrale, the friend of Dr. Johnson; but, since his death, it has been greatly enlarged.

The beer brewed in private families for their own use has been always exempted from all charges on account of duty, except that on malt. But, instead of being an advantage, this exemption was one of the most objectionable parts of the beer duty. Persons in the middle and lower ranks of life, particularly those resident in towns, have no facilities for private brewing; so that, in point of fact, the exemption redounded to the advantage of few except the rich and the great, who evaded the duty, while it fell with its full weight on most others. It is astonishing that an unjust monopoly of this sort should have been tolerated for so long a period.

The beer duty did not extend to Ireland; but it would seem, from the account of the quantity of malt used in that country by brewers, that the quantity of beer produced in it must have been about double that produced in Scotland. Dublin porter enjoys a pretty high reputation.

The brewers of beer being subject to licence duties, varying according to the quantity they produce, their number is exactly known. This, also, is the case with the retailers of beer.

Account of the Number of Brewers and Retailers of Beer in England, Scotland, and Ireland respectively, in 1833 and 1834.

	England.		Scotland.		Ireland.	
	1833.	1834.	1833.	1834.	1833.	1834.
Brewers of strong beer not exceeding 20 barrels	8,362	8,308	145	154	20	34
Ditto above 20 and not above 50	7,203	7,226	43	45	3	5
— 50 — 100	9,490	9,814	43	33	7	14
— 100 — 1,000	17,118	18,172	209	204	63	57
— 1,000	1,473	1,545	103	116	134	145
Brewers of table beer	14	17	82	52		
Retail brewers under 5 Geo. 4. cap. 54.	35	25	15	22		
Sellers of strong beer only, not being brewers	895	1,001	27	30	44	43
Beer retailers whose premises are rated under 20*l.* per annum	38,275	38,852	16,385	16,203	18,739	17,700
Ditto 20*l.* and upwards	14,751	14,889	795	769	1,890	1,735
Retailers of beer, cider, or perry under the 1 Will. 4. cap. 64. and 4 and 5 Will. 4. cap. 85.	34,976	37,381				

Distilleries. — The distilleries of Great Britain and Ireland are not less, if they be not more, important than the breweries. Malt liquor has always been the favourite drink of the bulk of the people of England; but they also consume, particularly in the metropolis and other great towns, large quantities of gin. Whisky has been, for a lengthened period, the favourite or national beverage of Scotland and Ireland. It were well, perhaps, for the public that the consumption of ardent spirits were diminished; and repeated attempts have been made, by the imposition of heavy duties, and otherwise, to bring this about. But these attempts have not, in any instance, been successful. Whenever the duty is carried beyond reasonable limits, it gives rise to smuggling; and, without in any degree lessening the evil of drunkenness, it brings the law into contempt, and enables those who despise its enactments to undersell the fair trader. The truth of these statements has been proved by the most comprehensive experience, and is now, indeed, almost universally admitted. The existing duties on spirits — in so far, at least, as Scotland and Ireland are concerned — seem to be on a very reasonable footing.

Account of the Number of Distillers, Rectifiers, and of the Dealers in, and Retailers of, Spirits in England, Scotland, and Ireland respectively, in 1833 and 1834.

	England.		Scotland.		Ireland.	
	1833.	1834.	1833.	1834.	1833.	1834.
Distillers and rectifiers	111	108	241	209	98	106
Dealers in spirits not being retailers	2,986	3,019	543	534	365	372
Retailers of spirits whose premises are rated under 10*l.* per annum	14,754	14,513	11,659	11,494	14,605	13,124
Ditto at 10*l.* and under 20*l.*	18,968	18,442	4,301	4,109	3,618	3,807
— 20*l.* — 25*l.*	3,001	2,960	259	222	468	465
— 25*l.* — 30*l.*	1,765	1,762	131	133	305	264
— 30*l.* — 40*l.*	3,385	3,360	151	156	392	359
— 40*l.* — 50*l.*	2,290	2,265	64	63	219	209
— 50*l.* and upwards	4,254	4,269	165	166	475	411

An Account of the Quantity of each of the different Sorts of Spirits that paid Duty in 1830, 1831, and 1832; distinguishing England, Scotland, and Ireland; with the Amount of Duty thereon.

	England.		Scotland.		Ireland.		United Kingdom.	
	Quantity.	Duty.	Quantity.	Duty.	Quantity.	Duty.	Quantity.	Duty.
Year 1830.	*Imp. Gals.*	*L.*	*Imp. Gals.*	*L.*	*Imp. Gals.*	*L.*	*Imp. Gals.*	*L.*
Brandy	1,239,113	1,391,874	27,997	31,495	7,603	8,655	1,274,803	1,432,024
Geneva	19,373	21,815	9,633	10,837	1,793	2,018	30,799	34,668
Rum	3,505,144	1,531,821	136,520	60,017	19,294	8,493	3,658,958	1,600,331
Home-made spirits	7,732,101	2,857,148	6,007,631	939,534	9,004,639	1,412,917	22,744,271	5,209,599
Total	12,493,731	5,802,656	6,181,781	1,041,883	9,033,319	1,432,083	27,708,831	8,276,622
Year 1831.								
Brandy	1,194,717	1,342,735	31,563	35,509	8,821	9,923	1,235,101	1,388,167
Geneva	15,079	16,971	7,431	8,361	1,388	1,562	23,898	26,894
Rum	3,479,911	1,464,775	125,702	56,566	18,984	8,540	3,624,597	1,629,881
Home-made spirits	7,434,047	2,787,767	5,700,689	950,115	8,710,672	1,451,779	21,845,408	5,189,661
Total	12,123,754	5,712,248	5,865,385	1,050,551	8,739,865	1,471,804	26,729,004	8,234,603
Year 1832.								
Brandy	1,508,924	1,697,095	61,151	68,794	31,577	35,512	1,601,652	1,801,401
Geneva	15,835	15,667	7,066	7,947	1,402	1,577	22,301	25,091
Rum	3,377,507	1,518,994	112,026	50,408	24,432	10,978	3,513,965	1,580,380
Home-made spirits	7,259,287	2,722,233	5,407,097	901,183	8,657,756	1,442,959	21,324,140	5,076,375
Total	12,159,551	5,953,889	5,587,340	1,028,332	8,715,167	1,491,026	26,462,058	8,483,247

Sect. XI. *Manufactures of Hats, Soap, Refined Sugar, &c.*

1. Hats being universally worn by almost all the male population of the British empire, the manufacture for home consumption is very great, and large quantities are exported. The quality of hats differs very widely. The best, or those called *stuff hats*, have the body made of fine coney wool, red Vigonia wool, &c., the nap or covering consisting, in the best hats, of beaver fur, and in others of fine hare's wool, neutria fur, &c. About 1,000 men are employed in London in the making and finishing the best hats, exclusive of about 3,000 men employed in Gloucestershire and Derbyshire in body making and ruffing. *Plated hats* are principally made in Lancashire, Cheshire, and Staffordshire. The men employed in the business in these counties, in this department, including apprentices, may amount to about 3,000. The coarsest species of hats, or those called *felt hats*, are principally made at Atherstone, Rudgeley, Bristol, and Newcastle-under-Lyne. Formerly, very large quantities were produced; but of late years the manufacture has rapidly declined. Great numbers of *silk hats* are produced in London, Manchester, Liverpool, Birmingham, Glasgow, &c. In all about 3,000 men are employed in this branch, and many thousand dozens are annually exported to Italy, New South Wales, &c. On the whole, the entire value of the hats manufactured in Great Britain may be estimated, including felt caps for soldiers, at about 2,420,000*l.* a year; and the total number of men employed in the manufacture at about 20,000.

The exports of beaver and felt hats, in 1834, amounted to 40,155 dozens, of the declared value of 125,970*l.* They are mostly sent to the British West Indies and North America, and to Brazil.

Straw Hats.—The manufacture of straw hats, in imitation of those brought from Tuscany, has been long carried on to a very considerable extent in the counties of Bedford, Herts, Bucks, and Essex; Dunstable, in Bedfordshire, being peculiarly celebrated for the excellence of its plait. Owing, however, to the straw of England being less suitable than that of Tuscany for the manufacture, the finest specimens of English plait are inferior to that brought from Italy, and but for the heavy duty on Italian hats and plait, the home manufacture of all but the coarser species would, most probably, be destroyed. Of late years large quantities of Tuscan straw have been imported under a nominal duty, and the plait made from it is but little inferior to that brought from Italy. A species of dwarfed rye straw, raised in Orkney, has, it is said, been found better fitted for plait than any description of straw raised in Britain; and considerable numbers of hats have been produced from it. We believe, however, that the manufacture of Orkney hats has rather declined. In 1833 its entire produce amounted to about 4,800*l.*

For an account of the straw hats, plait, and straw imported, exported, and entered for consumption in 1833 and 1834, see the account of the imports and exports, &c. of foreign articles in those years, *post.*

2. Soap and Candles.—The use of soap as a detergent is known to every one; and it should, in fact, be considered more in the light of a necessary of life, than as the most indispensable of luxuries. Its consumption in this country is immense; and, being subjected, in Great Britain at least, to an excise duty, the magnitude of the manufacture and its distribution are pretty accurately known.

Liverpool, London, Bristol, Runcorn, Newcastle, Glasgow, Brentford, Dudley, Hull, &c. are the principal seats of the manufacture. Thus of 143,904,897 lbs. of hard soap made in Great Britain in 1834, Liverpool furnished 37,806,923 lbs.; London, 32,659,609 lbs.; Bristol, 8,175,696 lbs.; Runcorn, 7,492,063 lbs.; Newcastle, 6,992,960 lbs.; Glasgow, 6,493,136 lbs.; Brentford, 5,357,487 lbs.;

Dudley, 4,867,187 lbs.; Hull, 3,378,925 lbs., &c. Of 10,355,425 lbs. of soft soap made during the same year, Liverpool supplied nearly a half, the remainder being supplied by Glasgow, London, Hull, &c. There is no duty on the soap made in Ireland, so that the quantity prepared in that part of the empire is not known; but it is quite inconsiderable, compared with that made in England.

Duty on Soap. — This article has been long subject to an excise duty, formerly of 3*d.* per lb. on hard, and 1½*d.* per lb. on soft; but in 1833 these duties were reduced, the former to 1½*d.* and the latter to 1*d.* per lb. It has, however, been ascertained that this reduction is insufficient to prevent smuggling, and the Commissioners of Excise Inquiry have, in consequence, recommended that the duties should be reduced on hard soap to 1*d.* per lb., and on soft to ½*d.* per lb.; and that they should be extended to Ireland. The adoption of these suggestions would be a material improvement. The duty would then be so light, that its pressure would be but little felt even by the poorest classes; the temptation to direct smuggling would be greatly lessened, while all that indirect smuggling that takes place in the traffic between Great Britain and Ireland would be completely obviated. The total repeal of the soap duty would be a popular measure; but, as a large amount of revenue must be raised, we are not of the number of those who think it should be abandoned. The real objections to the tax have been, not that soap is an improper subject for taxation, but that the duty has been pushed beyond its proper limits, and imposed in a way to interfere with the proceedings of the manufacture, and to encourage fraud.

The *candle manufacture* may be considered in connection with that of soap, with which it is closely allied. The consumption of candles is immense. In 1829, when they were subject to an excise duty, there were produced in Great Britain, and brought to charge, 115,156,806 lbs. tallow candles, 746,052 lbs. wax do., and 303,683 lbs. spermaceti do. But, from the facility with which candles are made at home, many, no doubt, were clandestinely manufactured. The excise duty on candles was repealed in 1831; and the consumption, influenced partly by this cause, and partly by the increase of wealth and population, may at this moment be safely estimated at 150,000,000 lbs. Taking their price, inclusive of wax candles, at a rough average, at 7*d.* per lb., their total value will be 4,375,000*l.*

Considerable quantities of soap and candles are exported, especially to the West Indies and the British colonies in North America and Brazil. The declared value of the exports of both articles, in 1834, amounted to 263,972*l.*

3. REFINED SUGAR. — The business of refining sugar is principally carried on in London, Liverpool, and Bristol. Many eminent chemists have exerted themselves to perfect the process, which has, in consequence, been very greatly improved. A drawback is allowed on the exportation of British sugar refined for exportation; and it has long been suspected that this drawback exceeds the duty, and that but for this circumstance our exports of refined sugar would be but inconsiderable. This view of the matter would appear to be confirmed by the fact, that though the refining of foreign sugar in bond has been sometimes permitted, but little use has been made of the privilege. It has been the practice, in making up returns to parliament, to reduce the refined sugar exported into raw sugar, by allowing 34 cwt. of the latter to 20 of the former. But the export of sugar is thus made to appear greater than it really is; for though 34 cwt. of raw may be required to produce 20 cwt. of refined sugar, the whole of the molasses and bastards that remain (about 13 cwt.) is consumed at home.

Account of the Exports of refined Sugar in 1832, 1833, and 1834, specifying the Countries to which the same was sent, and the Quantity and Value of that sent to each.

Countries.	1832.		1833.		1834.	
	Quantities.	Declared Value.	Quantities.	Declared Value.	Quantities.	Declared Value.
	cwts.	*L.*	*cwts.*	*L.*	*cwts.*	*L.*
Russia	9,240	25,937	1,653	4,309	5,501	15,007
Sweden	29	81	307	800	76	205
Norway	363	1,023	717	1,862	406	1,918
Denmark	332	605	90	236	1,081	1,568
Prussia	77,420	165,516	21,784	51,893	25,842	56,497
Germany	177,110	369,144	45,803	83,507	51,005	68,301
Holland	3,647	9,550	812	1,267	2,215	2,175
Belgium					142	136
France	23	53	36	77	4,235	11,110
Portugal, Proper			17	43	4,740	12,180
Azores	414	782	1,146	2,876	963	2,672
Madeira			2	6	596	1,618
Spain and the Balearic Islands	490	1,381	2,251	5,871	5,854	16,904
Canaries	10	28				
Gibraltar	4,830	13,127	3,684	8,496	7,809	17,846
Italy and the Italian Islands	130,900	328,973	98,984	246,238	184,510	416,958
Malta	4,965	12,076	9,176	18,673	16,004	31,718
Ionian Islands	6,136	15,987	4,300	11,101	9,456	21,096
Turkey and Continental Greece (exclusive of the Morea)	15,803	39,564	20,239	50,050	42,776	111,559
Morea and Greek Islands	321	905	51	133	1,328	3,607
Egypt (Ports on the Mediterranean)	1	3	17	45	516	1,185
Tripoli, Barbary, and Morocco	101	285			49	76
Western Coast of Africa	365	723	320	628	284	627
Cape of Good Hope	214	600	529	1,373	602	1,601
St. Helena	30	85	19	49	60	129
Mauritius	130	348	382	948	461	1,202
East India Company's Territories and Ceylon	699	1,645	816	1,959	289	652
China					17	46
Sumatra and Java	8	23	30	42	7	17
Philippine Islands	4	11	1	3	5	11
New South Wales, Van Diemen's Land, and Swan River	1,461	3,869	2,021	5,042	2,960	7,590
New Zealand, and South Sea Islands	1	4	6	17		
Ports of Siam					1	3
British North American Colonies	14,022	28,822	22,701	46,637	17,611	38,089
British West Indies	3,009	7,264	4,228	9,722	4,018	9,153
Hayti	37	90	70	165	107	214
Cuba and other Foreign West Indies	126	265	58	140	114	285
United States of America	1,404	3,928	200	503	249	650
Mexico	11	30	1	2	12	33
Columbia	1	3			1	4
Brazil			10	26	25	69
States of the Rio de la Plata			131	287	604	1,368
Chili	4	9	4	10	4,015	10,789
Peru	7	17	2	5	17	47
Isles of Guernsey, Jersey, Alderney, and Man	2,179	6,033	3,097	8,051	4,509	12,156
Total	455,847	1,038,789	245,698	563,092	401,044	916,391

4. COACHES. — Owing to the vast number of public and private coaches, and other descriptions of carriages, used in Great Britain, and the severe wear and tear to which many of them are exposed, their manufacture affords employment to a very considerable number of individuals. Formerly all carriages made for sale paid a certain duty; and in 1812, when it existed, it was paid upon 1,531 four-wheeled carriages, 1,701 two-wheeled do., and 407 taxed carts. But, besides the repeal of this duty, the annual duties charged on four-wheeled and two-wheeled carriages, particularly the latter, have been very materially reduced; and the number of them in use has, partly in consequence of this reduction, and partly of the increase of wealth and population, been very greatly increased since 1812; so much so, that we are well assured they are at present fully twice as numerous as they were then. In 1830, duty was charged on 25,992 four-wheeled carriages belonging to private parties; 6,983 post chaises and other carriages let to hire with horses; 3,138 public stage coaches, exclusive of mail coaches; and on 48,370 two-wheeled carriages. The duty on taxed carts, *with springs not metallic*, and on four-wheeled pony carriages, was repealed in 1825.

Coaches and all sorts of carriages are made at most of the considerable towns in the country; but by far the greatest number, as well as those of the best workmanship and most fashionable shapes, are made in London. The trade of a coach currier is hardly carried on any where except in the metro-

polis. Of 5,397 males, of 20 years of age and upwards, employed in the coachmaking business in Great Britain, in 1831, 5,030 belonged to England, 44 to Wales, and 323 to Scotland: of those belonging to England, nearly a half, or 2,167, were in the metropolis. The number of coach owners, drivers, grooms, &c. of 20 years of age and upwards in Great Britain, during the same year, was 10,514; of which England had 8,557, Wales 266, and Scotland 1,691. — (*Population Returns*, vol. ii. p. 1044.)

5. CABINETMAKERS' GOODS.—The manufacture of cabinetmaker's goods is largely carried on in every part of the country; but especially in the metropolis, where the best and most beautiful articles of furniture are made. There are no means of forming any estimate of the value of the goods annually produced by cabinetmakers; but it is abundantly certain that it must be very great. According to the official returns, of 21,774 males of 20 years of age and upwards employed as cabinetmakers in Great Britain, in 1831, 17,646 belonged to England, 465 to Wales, and 3,663 to Scotland.

Exclusive of the above there are a vast number of manufactures, such as those of gunpowder, starch, dyeing and bleaching stuffs, colours, vinegar, furs, &c. &c. which it is unnecessary to particularise.

Such is a short sketch of the more important statistical details connected with the principal manufactures carried on in the country. We are sensible that it is in many respects defective; but we believe that it will, notwithstanding, be found to afford a more complete and accurate view of the progress and present state of these manufactures than is to be met with in any other publication.

It is to be regretted that there are no means of forming any estimate of the real value of the manufactured articles annually produced in Great Britain and Ireland. But the previous statements show that it must be quite immense. There are, in fact, but few departments in which we are able to obtain a tolerably close approximation to the gross value of the articles produced; and even though we could do this in them all, the results would not be of so much value as is commonly supposed; and might, indeed, unless subjected to farther examination and analysis, lead to the most erroneous conclusions. It is supposed by many that whatever may be the annual value of our manufactured goods, we shall, by adding it to the annual value of our agricultural products, get the total value of the new commodities annually produced in the empire. But this is an error. The value of the British wool, for example, employed in the woollen manufacture, may amount to from 5,500,000*l.* to 6,000,000*l.* a year; and forms an item of this amount in estimating the value of the manufacture. It is plain, however, that if we include this wool in any estimate of the agricultural produce of the country, we must exclude it from that of its manufactured produce; for, if we do not, it will be reckoned twice over! The same thing happens in a vast variety of cases. Three fourths of the value of malt, for instance, consists of the value of the grain out of which it is made; so that in forming any estimate of the new products annually brought to market, we must either reckon the value of malt under deduction of the value of the raw grain, or else exclude the latter from the estimate of agricultural products. Again, very many manufactured articles, such as beer, spirits, coaches, &c. consist principally of other manufactured articles, the value of which must necessarily be deducted to learn the new or additional value which the peculiar manufacture adds to the wealth of the country. Hence the extreme difficulty of forming any fair estimate of the real value of many species of manufactures. It is always a difficult matter to learn their gross value. That, however, is really but the smallest part of the difficulty to be overcome. It is farther necessary, in order to specify the nett addition made by any manufacture to

the mass of valuable products, to detach from it the value of the raw produce, and of other manufactured articles embodied in it. But in many, perhaps most, cases this would be all but impossible; and nothing would be gained by laying before the reader conjectural estimates that might be as often erroneous as the reverse, and from which, consequently, he could derive no real instruction.

CHAPTER V. — Commerce.

Sect. I. *General Remarks on Commerce.*

The commerce of Great Britain has, for a lengthened period, formed one of the principal sources of her wealth and power; and no account of the state and resources of the empire can have any pretensions to completeness in which it does not occupy a very prominent place.

Mode in which Commerce contributes to increase Wealth — Means by which it may be promoted. — Strictly speaking, it is, perhaps, improper in a statistical work to say any thing on topics of this sort; but so much misconception is entertained as to the mode in which commerce contributes to increase wealth, and the means by which it may be promoted, that we hope to be excused for submitting a few observations upon these points. No one doubts that they are of the greatest importance.

The influence of commerce upon national wealth is only indirect. Those engaged in commercial undertakings make no change in the articles they buy and sell: they merely barter one sort of produce for another; and, generally speaking, what is given is the exact equivalent of what is got. The advantage of the exchange — and it is not easy to overrate its importance — consists in its enabling those who produce the commodities or articles that form the subject-matter of commerce to carry on their business without interruption. The intervention of merchants and dealers gives a continuous motion to the plough and the loom. They collect and distribute all sorts of commodities; they buy of the farmers and manufacturers the things they have to sell; and, bringing together every variety of useful and desirable articles in shops and warehouses, individuals are able, without difficulty or loss of time, to supply themselves with whatever they want. Were the class of dealers annihilated, that division of labour in agriculture and manufactures to which they are indebted for most part of their progress would be wholly destroyed. The moment an individual had produced a quantity of wheat, of cloth, or of shoes, he would be obliged to abandon his peculiar occupation; and to endeavour, first, to dispose of his produce, and, next, to find out the various individuals possessed of, and willing to part with, the

different articles required for his consumption. Under such circumstances, it would not be possible to confine ourselves to one employment; and every family would be obliged to undertake the manufacture of most things required for its support. All the advantages of co-operation and combination would be lost; society would be thrown back into primeval barbarism, and would not possess a tenth part of the accommodations that are now enjoyed.

But this is not all. Besides enabling individuals to addict themselves, in preference, to such employments as suit their tastes or capacities, and to prosecute them without interruption, commerce gives birth to a *territorial* division of labour. Different countries, and different provinces of the same country, differ in situation, soil, climate, and productions: some are admirably fitted for producing corn and wool, but are without wine and silk; some have rich mines, while their cultivated lands are poor and scanty; some are overrun by forests, while others can hardly boast of a solitary tree: nor is there, in point of fact, a single country, however rich in native products, that would not, if confined to its own resources, be destitute of many articles indispensable to a comfortable existence. But, by the establishment of a free commercial intercourse, what is deficient in one district is balanced by what is superfluous in another; and an industrious nation enjoys whatever is useful, rare, or valuable in all the countries and climates of the world. As soon as a commercial intercourse grows up, each people endeavours to avail itself of its peculiar means of production. Capital and industry are diverted, in preference, to those employments in which the physical circumstances of particular countries, or the genius of their inhabitants, especially fit them to excel; while, by exchanging such portions of their peculiar produce as exceed their own consumption for the peculiar articles raised by others, each is supplied with all that is elsewhere obtainable: at the same time that the productive powers are stimulated to the utmost, and that the wealth of the world is immeasurably increased. It is thus, that, by distributing the various articles suitable for the comfort and accommodation of man in different and distant regions, Providence has provided for their mutual dependence, and made the selfish pursuits of individuals and nations subservient to the general good.

Brief as this statement is, it is sufficient to demonstrate the impolicy of all attempts to promote commerce or industry by enactments intended to force capital into channels where it would not naturally flow. Such regulations universally proceed on mistaken principles, and are sure to be pernicious. They disturb that distribution of labour which is most consonant to the order of nature; and limit that division of employments among different individuals and

countries of which every fresh extension is sure to be advantageous. Those who maintain the policy of endeavouring, by means of legislative enactments, to give a more profitable direction to national industry than it would naturally take, assume that governments know better than their subjects what is best calculated to promote the interests of the latter. But any such assumption would be in the highest degree preposterous and absurd. "The statesman," says Dr. Smith, "who should attempt to direct private people in what manner they ought to employ their capitals, would not only load himself with a most unnecessary attention, but assume an authority which could safely be trusted not only to no single person, but to no council or senate whatever, and which would no where be so dangerous as in the hands of a man who had folly and presumption enough to fancy himself fit to exercise it."—(*Wealth of Nations*, vol. ii. p. 280.)

The conduct of individuals in matters of this sort, may always be safely left to be determined by their own prudence and sagacity. We have the very best security — the plain and obvious interest of the parties — that they will, speaking generally, do that which is most for their own advantage; and, consequently, for that of the state of which they are subjects. Hence the policy of leaving them, in all cases, to pursue their own interest in their own way, and of interfering only when they attempt unjustly to encroach upon each other. Freedom and security are all that is necessary to stimulate industry and invention, and to insure the most rapid advancement in the career of improvement.

When a restriction is laid on the importation of any description of commodities previously brought from abroad, their price suddenly rises, and the home producers get an advantage; but what they gain in this way is plainly at the expense of their fellow-citizens, and is, besides, of trifling importance. For, additional capital being drawn to the business, prices are very soon reduced to the level that barely affords the ordinary rate of profit. Now, it is just possible that this level may be identical with that at which prices stood previously to the restriction; but the probability is, that it will be considerably higher. If the former should happen to be the case, little, though something, will have been lost, but nothing whatever will have been gained, by the restriction. By ceasing to import from the foreigner, we must also cease exporting to him; for the exports are, in all cases, merely the equivalents of the imports. All, therefore, that will have been accomplished by this measure will be the transference of capital from one employment to another. That equality of protection to which all individuals are justly entitled will have been encroached upon; the increase of one business will have been brought about by the

depression of some other that was equally advantageous; but no addition will have been made to the capital of the country, or to the facilities for employing that capital with security and advantage.

But, in the vast majority of cases, the price of an article imported from abroad is not the same after its importation is prohibited, but is permanently raised; for, if we could previously have produced it as cheaply as foreigners, it would not have been imported. Instead of being obtainable, as before, for 1,000,000*l.*, the article will henceforth cost, perhaps, 1,200,000*l.*, or 1,500,000*l.* And it is obvious, that the effect of this artificial increase of price on the consumers of the article is precisely the same as if, supposing the trade to have continued free, a peculiar tax of 200,000*l.* or 500,000*l.* a year had been laid on them. But it will be observed, that, had such a tax been imposed, its produce would have come into the hands of government, and would have formed a portion of the national income; whereas the increased cost of the article is, under the circumstances supposed, occasioned by an *increased difficulty of production*, and is, therefore, of no advantage to any one.

It consequently results, that, even in those rare cases in which a restrictive regulation has no tendency to raise prices, it is hurtful, by changing the natural distribution of capital, and lessening the foreign demand for the produce of industry to the same extent that it increases the home demand. But in that incomparably more numerous class of cases in which a restriction occasions a rise in the price of the article which it affects, it is infinitely more injurious. Besides the mischief arising from varying the natural distribution of capital, and circumscribing the foreign trade of the country, such restriction imposes a heavy burden on the people, for no purpose of general or public utility, but to produce a certain and grievous injury, by tempting individuals to withdraw from really advantageous businesses to engage in those that cannot be prosecuted without great national loss, and which must be abandoned the moment the prohibition ceases to be enforced.

"The natural advantages which one country has over another, in producing particular commodities, are sometimes so great, that it is acknowledged by all the world to be in vain to struggle with them. By means of glasses, hot-beds, and hot-walls, very good grapes can be raised in Scotland, and very good wine too can be made of them, at about thirty times the expense for which, at least, equally good can be brought from foreign countries. Would it be a reasonable law to prohibit the importation of all foreign wines, merely to encourage the making of claret and burgundy in Scotland? But if there would be a manifest absurdity in turning towards any employ-

ment thirty times more of the capital and industry of the country than would be necessary to purchase from foreign countries an equal quantity of the commodities wanted, there must be an absurdity, though not altogether so glaring, yet exactly of the same kind, in turning towards any such employment a thirtieth, or even a three hundredth part more of either. Whether the advantages which one country has over another be natural or acquired, is, in this respect, of no consequence. As long as the one country has those advantages, and the other wants them, it will always be more advantageous for the latter nation to buy of the former than to make. It is an acquired advantage only which one artificer has over his neighbour who exercises another trade; and yet they both find it more advantageous to buy of one another, than to make what does not belong to their particular trades."—(*Wealth of Nations*, ii. p. 283.)

These observations will probably suffice to give the reader an idea of the way in which commerce contributes to increase wealth, and of the policy that ought to be pursued with respect to it. Those who wish for further information on these points may consult the Wealth of Nations, the Treatise on Commerce published by the Society for the Diffusion of Useful Knowledge, and such like works.

It is usual, in treating of commerce in statistical publications, to distribute the details under the heads of home and of foreign trade. It is not possible, indeed, always to separate what belongs to the one from what belongs to the other; but the distinction may, notwithstanding, be made with sufficient accuracy for practical purposes.

1. *Home Trade.*—By this is understood the commercial transactions carried on by individuals of the same country with each other. In countries like France, where *octrois* are established, a kind of rough estimate may be formed of the extent of these transactions; but in such a country as England, where, with but few exceptions, no account is taken of any article brought to market, there are no means whatever of estimating the amount of this trade. It is obvious, however, that it must be very great. Articles of provision and clothing are, of course, the most prominent; but coal, and various articles of building and manufacture, are also very important.

There can be no question, that the number and importance of the engagements annually entered into with each other by the inhabitants of all rich and populous countries very far exceed the number and importance of those they enter into with foreigners. But it does not, therefore, necessarily follow, as is commonly supposed, that the home trade is more beneficial than the foreign trade. Commerce, it must be kept in mind, is not directly productive; and, in estimating the comparative advantageousness of the traffic we

carry on among ourselves and that which we carry on with others, it will not do to look merely at the magnitude and number of the transactions in each. The real question is, which occasions the greatest subdivision of employments, and gives the most powerful spur to industry? This, however, is a question that does not, perhaps, admit of any very satisfactory solution. Without some species of home trade, no division of employments could ever have been made, and man must have continued in ignorance and barbarism. And it may, therefore, be truly said, that the home trade is the most indispensable to the rise and early progress of the arts. But those who consider the influence of foreign commerce in making man acquainted with an infinity of useful and desirable products of which he must otherwise have been ignorant, — in diverting the industry of every country into the most profitable channels, — in improving every process carried on at home, by opening the markets of the world to its produce, — and in exciting the desires, and stimulating the industry and invention, of all classes, will not hesitate to admit that it has principally contributed to advance society to the high state of improvement to which it has attained.

At no very distant period, various restraints were imposed on several branches of the home trade. Of these the most important seem to have been those laid on the dealers in corn. The practices termed *engrossing*, or the buying up of large quantities of corn and other victual, in the view of selling them at some future period; *forestalling*, or the buying of or contracting for corn or other victual on its way to market; and *regrating*, or the selling of corn or other victual in the same market in which it had been bought, — were all forbidden under severe penalties. But the pernicious effects of such interference at length became obvious; and the statutes against forestalling, &c., after being materially modified in the reign of Charles II., were finally repealed in 1772.

It was not unusual, under the princes of the Tudor line, for the crown to grant monopolies to some one individual or set of individuals, conveying to him or them the sole right to make, buy, sell, export, or import some commodity or class of commodities. This abuse was carried to a very great height in the reign of Elizabeth. The grievance became at length so insupportable, that, notwithstanding the opposition of government, which looked upon the power of granting monopolies as a very valuable part of the prerogative, they were abolished in 1624, by the famous act 21 James I. cap. 3. This act declares that all monopolies, grants, and letters-patent, for the sole buying, selling, and making of goods and manufactures, not given by act of parliament, shall be null and void. It excepts patents

for 14 years for the sole working or making of any new manufactures within the realm, and for the true and first inventors of such manufactures, provided they be not contrary to law, nor mischievous to the state. It also excepts grants by act of parliament to corporations, companies, &c.

This act effectually secured the freedom of internal industry, and has contributed more than any other in the statute book to accelerate the progress of improvement. From the period when it was passed down to the present moment, every branch of industry carried on at home has, with a few trifling exceptions (principally originating in corporation privileges), been conducted under a system of free competition. All individuals have been at liberty to employ themselves in whatever way they judged most conducive to their interests; and invention has been constantly on the rack to find out new methods of production, and to improve and perfect the old. The whole country has been subjected to the same equal law; and individuals and commodities have been permitted to pass, without let or hinderance of any sort, from one province or district to another. The restrictions that have been imposed on several branches of our trade with other countries have obliged us to pay an enhanced price for different foreign products, and subjected us to various inconveniences; but nothing of the sort has been experienced at home. The natural order of things has been less disturbed in Great Britain than in any other country; and we have been supplied with all sorts of native commodities and accommodations, at the lowest price that would suffice to indemnify those who brought them to market.

This freedom of internal industry has been one of the principal causes of our more rapid progress in manufacturing and commercial industry. Those who compare the internal policy of Britain in this respect with that of France, Spain, or Germany, where each province had a separate revenue system, and was in the habit of surrounding its frontiers with a cordon of troops to shut out the cheaper products of its fellow subjects, will be satisfied that it is not easy to exaggerate the advantages we owe to this more liberal system.

2. *Foreign Trade.* — The foreign trade of England was long confined within the narrowest limits, and gave no earnest of the extraordinary progress it was subsequently destined to make. For some centuries after the Norman invasion, the energies of the country were wasted on wild efforts to conquer France. After our expulsion from that country had put an end to this Quixotic attempt, a contest began between the rival houses of York and Lancaster; and, for the protracted period of about forty years, the kingdom was a prey to all the horrors of civil war. The accession of Henry VII. restored tran-

quillity; and the judicious and vigorous measures of that monarch for repressing the turbulence of the great barons, and securing the ascendancy of the law, were productive of the best effects. But all ranks and orders of people had suffered too much from previous disorders to think of engaging, on the return of tranquillity, in schemes of foreign commerce. Public attention, in the reigns of Henry VIII., Edward VI., and Mary, was almost wholly engrossed by religious disputes. Some attempts were, indeed, made to explore foreign countries, but, in the first instance at least, they led to no very striking practical results. It was not till the reign of Elizabeth, that the taste of the nation for naval enterprise and foreign commerce was fully awakened. It was then that the British flag began to wave over every sea; and that English merchants and English products began to be met with in the most distant markets. The foundation, in the ensuing reign, of the colonies in America gave a powerful stimulus to commerce; which was still farther promoted by the free and liberal institutions established at the Revolution. Nothing, however, has had so powerful an influence in extending our trade as the astonishing progress that has been made in the cotton manufacture. Previously to 1770, the exports of cotton goods were so very insignificant as to be hardly worth notice; whereas they now (1836) amount to the prodigious sum of 22,000,000*l.* (real value); being nearly equal to all the other articles of export produced or manufactured at home!

It was the practice in most modern states, after the revival of commerce in the fifteenth, sixteenth, and seventeenth centuries, to assign such branches of trade as were reckoned peculiarly hazardous, or which were carried on with barbarous nations, to the exclusive management of regulated or joint stock companies. The trade with India is a striking example of this. It was supposed that it could not be safely carried on without the employment of armed ships, and the possession of factories, or fortified *depôts*, in India, where the adventurers and their products might be secure from the hostility of the natives. The trade with Africa, the Levant, and some other uncivilised countries, was supposed to require similar protection. And as most governments had not, in the ages referred to, ships and troops to spare for the defence of their subjects in remote regions, the traders were formed into companies, and were authorised to levy duties, and to provide for their common defence and security. Hence the origin of the Dutch, French, and English East India Companies, and of a host of other establishments of the same kind. But the necessity for these companies, if it ever really existed, which is questionable, ceased long ago, when the states to which

they belonged became sufficiently powerful to protect their subjects in all parts of the world. When this change took place, the different companies should have been abolished; and the trade thrown open to that individual competition without which it never can make any considerable progress. But the private interests of the companies were opposed to any such measure; and succeeded, through their influence with their respective governments, in preserving their monopolies for a lengthened period. Thus the trade between England and all the vast countries to the eastward of the Cape of Good Hope was monopolised by the East India Company till 1814, when private individuals were allowed to trade with India, and all the countries to the west of Malacca; the trade with China, and the other countries to the east of the Straits, being reserved to the Company. But this, also, was opened in 1834 to public competition, and the last vestige of the old monopoly system effaced from the statute book! At present, therefore, all British subjects are at liberty to trade with all friendly countries, on their conforming to the regulations laid down by such countries, and to our customs laws.

Sect. II. *Trade with different Countries.*

Many of the remarks and statements that might have been introduced under this head have been anticipated in the preceding chapter. Subjoined to the notices of those manufactures of which any considerable portion is exported, such as cotton, woollen, linen, hardware, &c., are accounts of the quantity and value thereof exported in 1833 and 1834, specifying the countries to which the exports were made, and the quantity and value of the different articles sent to each. Some of these articles, also, contain accounts of the foreign sources whence the raw material, used wholly or partly in some of our principal manufactures, has been derived, &c. The following remarks and tables will, therefore, be in some measure supplementary only to those now referred to; a circumstance which must be kept in view by the reader of this chapter.

Trade with Ireland. — Exclusive of the coasting trade carried on between different ports of Great Britain, there is a very extensive coasting, or cross channel trade carried on between Great Britain and Ireland. With the exception of linens, almost all the manufactured articles made use of in Ireland are imported from Great Britain; as is by far the largest part of the tea, sugar, wine, and other foreign articles required for her consumption. In return she sends to us, exclusive of linens, large quantities of corn, flour, and meal; live cattle and pigs, barrelled beef and pork, butter, lard, &c. There are no means, however, for determining the exact amount of this trade, no accounts having been kept of the quantity or value of the articles passing between the two countries since 1825, with the exception of the corn brought

from Ireland into Great Britain. The latter, including flour and meal, amounts to from 2,500,000 to 3,000,000 quarters. Subjoined is an

Account of the Quantity of the various Articles exported from Ireland during the Years 1801, 1805, 1809, 1813, 1817, 1821, and 1825, exhibiting the respective official Values of the Exports to Great Britain and to Foreign Parts.

Articles being the Produce or Manufactures of the United Kingdom.	1801.	1805.	1809.	1813.	1817.	1821.	1825.
TO ALL PARTS.							
Corn and meal, viz. —							
Barley - - qrs.	- -	17,223	26,588	194,193	39,114	78,228	154,822
Oats - - —	129	223,234	828,458	808,329	646,036	1,159,884	1,503,204
Wheat - - - —	- -	82,815	85,599	201,273	57,280	476,940	283,340
Other grain - - —	1	5,302	3,023	5,934	2,011	7,897	23,832
Wheat flour - - cwt.	203	22,774	18,087	267,894	34,517	295,035	394,507
Oatmeal, &c. - —	2,524	34,297	90,948	108,547	34,863	66,063	204,617
Cattle and live stock —							
Cows and oxen - No.	31,664	21,941	18,335	49,592	45,322	26,759	63,524
Sheep - - —	2,891	10,988	7,596	7,690	29,478	25,354	72,191
Swine - - - —	1,968	6,383	4,712	14,521	24,418	104,556	65,919
Horses - - —	818	4,186	3,451	4,001	879	2,503	3,140
Bacon and hams - cwt.	21,161	95,073	167,122	234,606	191,025	366,209	262,278
Beef and pork - - barrels	160,840	222,098	262,744	281,503	262,605	219,165	181,276
Butter - - cwt.	304,666	294,415	385,353	461,514	397,965	472,944	474,161
Lard - - - - —	2,049	6,363	16,282	20,136	17,181	28,489	35,261
Soap and candles - —	15,557	17,713	30,810	46,615	25,381	18,454	14,791
Flax, undressed -	1,639	278	6,507	69,191	44,239	68,791	54,898
Spirits, Irish - Imp. gals.	178,602	819,970	60,437	113,316	37,884	326,491	629,529
Cotton manufactures,—entered by the yard - yds.	1,256	8,956	34,998	99,141	549,261	921,971	10,567,458
— of other descriptions value £	4,824	3,281	31,923	58,074	26,250	6,564	301
Linen manufactures, yards	37,911,602	43,683,533	37,166,399	39,023,487	56,230,575	49,531,139	55,114,515
— yarn - - lbs.	2,631,132	792,400	1,534,512	2,141,776	1,571,444	1,150,464	391,489
Other articles of the produce or manufactures of the United Kingdom value £	192,259	211,184	302,843	280,999	434,125	334,323	466,390
Aggregate official value of the produce and manufactures of the United Kingdom, exported from Ireland to *all* parts - - £	3,778,145	4,670,647	4,992,840	6,297,264	6,447,424	7,705,070	9,101,956
Aggregate official value of the produce and manufactures of the United Kingdom, exported from Ireland to *foreign* parts - - £	426,076	469,569	625,415	1,132,781	877,959	637,818	697,667
Aggregate official value of the produce and manufactures of the United Kingdom, exported from Ireland to *Great Britain* - - £	3,352,069	4,201,078	4,367,425	5,164,483	5,569,465	7,067,252	8,404,289

This table, and the one p. 157., show the inconsiderable amount of the trade of Ireland with all places except Great Britain.

It is quite impossible to form any estimate either of the quantity or value of most articles carried coastwise from port to port in Great Britain. The conveyance of coal from the Tyne, the Wear, and the Tees to the metropolis, and other towns in the southern counties, forms an important branch of the coasting trade. — (See *antè*, p. 9.)

Trade with Foreign Countries.

1. *Trade with Russia.* — This trade, which is of very considerable importance, took its rise in the reign of Elizabeth. Archangel, discovered in 1554 by Richard Chancellour, who accompanied the famous Sir Hugh Willoughby

in his unfortunate voyage to the north, continued till the reign of Peter the Great to be the only Russian port accessible to foreigners. But, since its foundation, Petersburgh has engrossed by far the largest portion of the foreign trade of the empire. The principal articles of import into Great Britain from Russia are tallow, corn, flax and hemp, flax and linseed, timber, bristles, ashes, hides, iron, and wax. Cotton-twist constitutes more than three fourths of the entire value of all the articles of British produce sent to Russia. The rest chiefly consist of woollen manufactures, salt, coal, hardware, lead and shot, tin, &c. We also supply her with considerable quantities of coffee, indigo, spices, and other foreign and colonial articles. Owing to the great bulk of most of the articles brought from Russia, the trade employs a considerable amount of shipping. In 1832, no fewer than 1294 British vessels entered the different ports of Russia, of which 581 entered Petersburgh.

2. *Sweden and Norway.* — The trade with these two countries is comparatively unimportant. The imports principally consist of timber, iron, and bark. They would be much larger, but for the heavy duty imposed on timber from the north of Europe above that imposed on timber from Canada. The influence of this discriminating duty is most pernicious. It not only occasions an artificial increase in the price of timber, but it leads to the substitution of an inferior for a superior article. Previously to 1810, when this distinction was unknown, the exports to Sweden and Norway were much larger. The exports principally consist of cottons and cotton-twist, woollens, earthenware, hardware, coffee, indigo, tobacco, spices, sugar, &c.

3. *Denmark.* — The imports consist almost wholly of corn and rape-seed, with small quantities of butter, bristles, wool, hides, and bark. The principal exports are coal, salt, iron and steel, earthenware, machinery, coffee, indigo, &c.

4. *Prussia.* — The direct trade to Prussia is not very considerable; but we carry on a large indirect trade with her through Hamburgh, the exports and imports being included under the head of Germany. The trade to Prussia, and, indeed, to the whole north of Europe, has been materially injured by the discriminating duties on foreign timber. Dantzic is the greatest port, not in Prussia only, but in the world, for the exportation of corn, particularly wheat of the very finest quality. The timber of Dantzic and Memel is also excellent. Besides corn, of which we fetch, in bad years, a larger supply from Prussia than from any other country, the direct imports consist principally of oak and fir timber, with small quantities of bark, bristles, wool, spelter, flax, &c. With the exception of refined sugar and salt, the British produce directly exported to Prussia is inconsiderable. But, exclusive of colonial products, we supply her, through Hamburgh, with large quantities of cottons, hardware, earthenware, &c.

5. *Germany.* — The trade to Germany, which is principally carried on through Hamburgh and Bremen, is of great extent and importance. Since the introduction of merino sheep into Saxony in the latter part of last century, German wool has been so much improved, that it is now decidedly superior to that of Spain, and forms one of the leading articles of import into this country. Germany also supplies us with large quantities of corn, and with wine, butter, linens, hides, clover and rape-seed, smaltz, spelter, and zaffre, furs (particularly fitch), wooden clocks, and other inferior articles. The exports principally consist of cotton-stuffs and twist, woollens, refined sugar, hardware, earthenware, iron and steel, coal, salt, &c. The Germans are extensive importers of colonial produce. They are our largest customers for indigo, coffee, rum, tobacco, and cotton-wool. They also take from us considerable quantities of spices, &c.

Within the last few years, Prussia has prevailed on by far the greater number of the secondary and smaller German states to enter into a commercial league, by adopting a uniform tariff of duties on imports, and establishing

a free system of internal commerce. Previously to the adoption of this plan, each petty state had its own custom-houses, and its own system of duties and revenue laws: these frequently differed widely from those of its neighbours, so that the internal trade of the country was subjected to all the vexatious restrictions that are usually laid on the intercourse between distant and independent states, and was, in consequence, comparatively trifling. But these restraints are now entirely got rid off. Internal custom-houses, and separate custom duties, no longer exist. Each state gets a fair proportion of the duties, collected at the frontier of the territories of the league; and a commodity admitted at any one of the external custom-houses may be subsequently conveyed, without let or hindrance, from Hamburgh to Konigsberg, and from Stettin and Dantzic to the frontiers of the Tyrol. It has been supposed by many, that this system threatened to be very injurious to our commerce with Germany; but there seems to be no good ground for any such apprehension. The freedom of internal commerce will do more to promote the prosperity of the countries included within the league, than any other measure their rulers could have adopted; and, as population increases, and the inhabitants become more wealthy, there will, no doubt, be an augmented demand for foreign products. Generally speaking, the duties are moderate; and if any attempt were made to raise them to an exorbitant height, the facilities for smuggling along the frontiers of the league are so very great, that they could not be collected.

6. *Netherlands.* — Under this head we include the trade with Holland and Belgium. The imports are butter, cheese, corn, madder, geneva, flax and tow, hides, linens, seeds, toys, &c. The exports are principally cotton-stuffs and twist, woollens, hardware, earthenware, salt, coal, &c. We also supply them with a good deal of coffee, cocoa, indigo, and tobacco.

7. *France.* — In consequence of the violent animosities that so long unhappily subsisted between England and France, the trade between these two great countries has been confined within very narrow limits. Each was jealous of the other's prosperity; and laboured to depress the trade of its neighbour, though in doing so it might inflict a more serious injury on its own subjects. But the folly of this conduct has at length become apparent, and sounder principles are beginning to prevail. The high discriminating duty on French wines, imposed soon after the revolution of 1688, has been at last repealed; and the British markets have also been opened to French silks. These concessions have been met in France with a corresponding spirit; so that there is now a reasonable prospect that the trade between the two countries will be allowed to grow up to its natural level. Nothing would do more to bring about this desirable result, than an adequate reduction of the exorbitant duty we have imposed on foreign brandy, and the assessment of the duty on wine on an *ad valorem* principle.

The principal imports from France are brandy, wine, silk (raw and manufactured), gloves, madder, eggs, skins, and fruit. The exports are wool, linens, brass and copper manufactures, machinery, coal, horses, &c. But, owing to the oppressive duties in both countries, a large proportion of the trade between them is carried on clandestinely, or is in the hands of the smuggler. About 600,000 or 700,000 gallons of brandy are believed to be imported in this way into Great Britain, beyond what appears in the books of the Custom-house. Large quantities of Nottingham lace are smuggled into France.

8. *Portugal and Spain.*—The chief articles of import from the Peninsula are port and sherry, wines which have long had the ascendancy in the English market. We also import considerable quantities of barilla, wool (though less now than formerly), raisins and other dry fruits, lemons and oranges, olive-oil, quicksilver, &c. On some recent occasions, Spain has supplied us with considerable quantities of corn. The principal exports are cotton-stuffs,

woollens, linens, hardware and cutlery, iron and steel, soap and candles, leather, &c. Spain is our largest customer for cinnamon.

9. *Italy.*—The trade with Italy has increased greatly within these few years, and is now of much value and importance. Italian thrown-silk is of the finest quality, and forms a considerable item in our imports; but we receive it mostly at second-hand through France. Besides silk, we import a very large quantity of olive-oil, with straw hats, straw plait, and straw to be made into plait,—the imports of hats having materially declined of late years, while those of plait and straw have been greatly augmented. We also import wheat (chiefly at second-hand from the Black Sea), currants, lemons and oranges, wine, barilla, shumac, bark, cheese, lamb skins, hemp, and various minor articles. Our exports are principally cotton-stuffs and twist (for which Italy is about our very best market), refined sugar, woollen manufactures, hardware and cutlery, iron and steel, &c. She also takes off large quantities of coffee, indigo, tobacco, pimento, &c.

10. *Turkey, Greece, &c.*— The principal imports are silk, opium, madder, figs, raisins, valonea, oil, cotton, currants, senna, &c. The exports are cotton manufactures and twist in large quantities, with a small supply of linens, hardware, iron and steel, cordage, woollens, earthenware, &c. The exports of indigo and coffee are considerable.

11. *Africa.* — The trade to Africa, with the exception of that to the British possessions and Egypt, is quite inconsiderable. The principle imports from Egypt are cotton-wool, flax and linseed, senna and other drugs. The exports are cotton manufactures, iron and steel, arms and ammunition, machinery, &c. The colonial and other foreign products sent to Egypt are not worth notice.

12. *Foreign West Indies.*—The trade with the foreign West Indies is of very considerable importance. It is principally carried on with Cuba, Hayti, and St. Thomas. The imports principally consist of sugar, coffee, cotton, cigars, &c. The exports are cotton manufactures, earthenware, linen manufactures, hardware, iron and steel, woollens, glass, machinery, &c.

13. *United States.*— The identity of language, and the prevalence of similar customs and habits, would necessarily occasion a considerable intercourse between Great Britain and the United States. This, however, has been materially promoted by the peculiar circumstances under which the latter have been placed. Occupying a country of vast extent and great natural fertility, most part of which is still a wilderness, agriculture was, of course, the most profitable employment in which the citizens of the United States could engage; and, there being no country that could supply them with most descriptions of manufactured goods so cheaply as Great Britain, we have continued, since the peace of 1784, to maintain the same ascendancy in their markets that we enjoyed while they were our colonists. The American legislature has, indeed, endeavoured, by dint of prohibitions and bounties, to raise up a manufacturing interest. But, as might have been foreseen, the attempt has proved eminently unsuccessful; and has been productive, not only of great national loss, but of so much dissatisfaction, that, unless the legislature had given way and modified the tariff, the integrity of the Union would, most likely, have been compromised.

Tobacco was, at one time, the principal article of export from the United States; but, since Mr. Whitney invented his machine for separating cotton-wool from the pod (see *antè*, p. 69.), the increase in the growth of cotton has been rapid beyond all precedent, and it now forms by far the most important article of export from America. Tobacco is still, however, a very valuable article; and we fetch from the United States more than nine tenths of all that is consumed in this country. The other articles of import are wheat-flour and wheat, rice, skins and furs, hides, staves, &c. Our exports of cotton, linen, and woollen manufactures to the United States are very large.

We also supply them with hardware and cutlery, earthenware (of which they are very extensive buyers), and with salt, brass and copper, apparel, books, &c.

14. *South American States.* — With the exception of Brazil, most of these countries have been for a long series of years in a very unsettled state. The most violent party animosities have existed; and industry of all sorts has been much depressed. But symptoms of a better order of things are beginning to disclose themselves; and were liberal governments established on any thing like a solid basis, the resources of the countries are so very great, that there can be little doubt they would speedily become the seats of industry and of an extensive commerce. Our trade with Brazil is at present of as much importance as that with all the rest of these states. Next to it is our trade with Mexico, La Plata, Chili, &c. The principal articles of import are cotton-wool, sugar and coffee, bullion and precious stones, cocoa, hides, fruits, bark, dye-woods, furs, &c. Our principal exports are cottons, linens, and woollens. We also send them earthenware, hardware, soap and candles, and a variety of subordinate articles.

Trade with Colonies and Dependencies, including the Trade with China.

1. *Colonies in Africa.* — Of these the Cape of Good Hope is the most important. It is more valuable, however, from its position in reference to our Indian empire, than from its commerce, which is of comparatively little value. The principal imports are wine (which, with the exception of Constantia, is for the most part very inferior), hides, ivory, skins, aloes, &c. The exports consist chiefly of cotton, woollen, and linen manufactures, apparel, earthenware, hardware, iron and steel, soap and candles, stationery, &c.

Sierra Leone, on the western coast of Africa, was founded principally in the view of promoting the civilisation of the negroes; but it has cost vast sums, without in any respect answering the views of its projectors. The principal article of import from Western Africa is palm-oil; we also import ivory, teak timber, wax, hides, dye-woods, &c. The exports are cotton goods, guns and pistols, hardware, salt, soap and candles, &c.

Mauritius is now become quite a sugar island; and is placed, in all respects, under the same regulations as the islands in the West Indies. Sugar has become almost the exclusive production of the colony, and is, consequently, almost the only article of import. We send to it cotton goods, linens, iron and steel, machinery, apparel, &c.

2. *Asia.* — The trade to China has been mixed up in the official statements with the trade to Hindostan. Of the imports from the former, tea is by far the most important; having become almost a necessary of life in England. Indigo is the most important article brought from India; and next to it are cotton, sugar, silk, coffee, pepper, saltpetre, piece-goods, rice, lac-dye, &c. The imports from Ceylon are principally cinnamon, cocoa-nut oil, ivory, &c. We bring tin and pepper from the eastern islands; and mace and cloves at second-hand from Amboyna. Wool is the great article of import from New South Wales and Van Diemen's Land.

Previously to 1814, we hardly exported any cottons to the East; our imports of piece-goods being at the same time considerable. But at this epoch the trade to Hindostan was opened to private adventurers; and, while the imports of piece-goods have been since either stationary or declining, there has been a most extraordinary increase in the exports of cotton-goods to India, — so much so, that that country is now one of our very best markets for cotton-stuffs and twist. The other articles of export are woollens, linens, earthenware, copper, hardware, iron and steel, leather, glass, machinery, &c. The precious metals were, for a lengthened period, one of the most profitable articles of export to the East; but within these few years

the tide has begun to set in the opposite direction, and large quantities have been imported.

3. *American Colonies.* — The settlements on the inhospitable shores of Hudson's Bay furnish a considerable supply of furs; and Newfoundland is famous for its fish. Our trade with Canada, Nova Scotia, &c. is very extensive; but this is, in a considerable degree, to be ascribed to the heavy discriminating duty on timber from the north of Europe, which forces the importation of a dearer and a worse article from Canada. The other imports are wheat, ashes, furs, skins, turpentine, &c. The exports are principally woollens, cottons and linens, hardware, iron and steel, soap and candles, earthenware, apparel, glass, cordage, coal, butter and cheese, &c.

4. *West Indian Colonies.* — Sugar forms the grand article of import from these colonies, and in value and importance is second to none brought into the kingdom. Next to it is coffee; and then follow rum, cotton, pimento, molasses, mahogany, logwood, fustic, cocoa, cochineal, ginger, hides, &c. The exports are principally cotton-stuffs, linens, woollens, apparel, soap and candles, hardware, iron and steel, fish, earthenware, cordage, beef and pork, arms and ammunition, &c.

Duties on Imports and Exports.

With the exception of coal, all other articles may be exported free, or on paying one half per cent. on their declared value. The duties on imports are of far greater importance. They have been imposed partly, and principally, in the view of raising a revenue, and, as such, will come under our notice in a subsequent part of this work. They have partly, however, been intended to protect or promote some native employment or department of industry. Recently, indeed, the duties imposed in this view have been materially modified; and it is to be hoped that, in no long time, they will entirely disappear. To whatever extent we hinder, either by oppressive duties or otherwise, the importation of any particular species of foreign produce, we hinder at the same time, and by the same act, the exportation; and, consequently, also, the production of an equivalent amount of British produce. We may confer, by a proceeding of this sort, a trifling advantage on a particular class; but it is obvious that what is gained by them must be made at the expense of some other class, whose business, from its being naturally adapted to the country, is sure to be the most profitable. It is a contradiction, and an absurdity, to pretend that the wealth of any people can be increased by such means. But, notwithstanding the justice and expediency of allowing every one to pursue his own interest in his own way had been unanswerably demonstrated by Dr. Smith and others more than half a century ago, such is the strength of prejudice, that it is only recently that statesmen and merchants have been impressed with a conviction of its truth. The British nation has had the honour of being the first to renounce the selfish and shallow policy of monopoly. And the extension of our trade, and the influence which our example has already had in France, the United States, &c., has completely verified the anticipations of those who contended that, by adopting a liberal commercial system, we should not only secure for ourselves a great immediate advantage, but would induce other states to abandon their prohibitions, and to trade with us on a liberal footing.

Of the still existing restrictions on our trade, those on the importation of foreign corn are the most important. It is not prohibited, but the duties are made to vary inversely as the price; falling when the price rises, and rising when the price falls. Thus, when the price of wheat is 62*s.* and under 63*s.* a quarter, the duty on wheat imported for home consumption is 24*s.* 8*d.* The duty then diminishes by 1*s.* a quarter, according as the price rises 1*s.*, till it

is at 67*s.* and under 68*s.*, when the duty is 18*s.* 8*d.* a quarter. When the price is 68*s.* and under 69*s.*, the duty is 16*s.* 8*d.*; the next rise of 1*s.* in the price reduces the duty to 13*s.* 8*d.*, and the next again to 10*s.* 8*d.* When the price is at or above 73*s.* the duty is 1*s.* The duties on oats, barley, &c. are imposed on the same principle.

Owing to the comparative density of our population, we have, until recently, been unable to raise sufficient supplies of corn at the price at which it may be obtained from other countries. Hence the duty, by excluding foreign corn except when the prices are comparatively high, tends to keep up the price of corn in scarce years, and in those in which the crop does not exceed an average. But, by doing this, it renders exportation in favourable years, or when the crops are unusually abundant, impossible without a considerable fall of price. In point of fact, therefore, the duty is really injurious both to the agriculturist and the other classes: to the latter, because of the obstacles it throws in the way of importation in scarce years; and to the former, because of its hindering exportation when the home crops exceed an average. The mode, too, in which the duties are imposed adds materially to the great risk naturally inherent in the corn trade. Were the duties constant, a fall of price would be the only danger to which the importing merchant would be exposed; whereas, if he import under the present system, he is not only exposed to loss by that fall, but by the more than corresponding rise that at the same time takes place in the duty.

It is impossible to defend duties on the importation of corn, except on the ground that they are imposed to balance an *excess* of duties laid on the agricultural class over those laid on the other classes. It is denied by some that the agriculturists are really more heavily taxed than manufacturers or merchants, and, consequently, that they have no claim to any peculiar protection. But, were this the proper place for entering upon such an investigation, it might be shown, without much difficulty, that the agriculturists are really more heavily taxed, and that they are, on this ground, justly entitled to demand that a duty of 6*s.* or 7*s.* a quarter should be laid upon foreign wheat when imported, and on other grain in proportion. But if they be entitled to a duty, on the principle now laid down, they must also be entitled to a drawback on exportation. And hence, as it appears to us, the proper plan would be to repeal the existing duties on importation, substituting in their stead a fixed duty, equivalent to the excess of the duties affecting the agriculturists, with a corresponding drawback. This would give the agriculturists that degree of protection to which they are entitled, and no more; and it would enable them to export, in abundant years, without suffering a previous fall of price.

A vast deal of exaggeration has been indulged in by most writers on the subject of the corn laws. That they have been, and still are, injurious, no dispassionate inquirer can doubt; but they have not been so in the degree that many suppose; and, owing to the extraordinary improvements that have recently been made in agriculture, the practical influence of the corn laws has, in ordinary years, been nearly nullified, and prices for the four or five years ending with 1835 did not differ materially from what they would have been had the ports been opened under the regulations suggested above.

TABLES.

I. *Official* and *Declared* Value of Exports of British and Irish Produce and Manufactures; and *Official* Value of Exports of Foreign and Colonial Merchandise from Great Britain; and *Official* Value of Imports into the same, for the following Years. — (*Parl. Paper*, No. 243. Sess. 1830, and *Finance Accounts.*)

Years ending the 5th of January.	Exports.		Exports.	Imports.
	British and Irish Produce and Manufactures from Great Britain.		Foreign and Colonial Merchandise from Great Britain.	Into Great Britain.
	Official Value. £	*Declared Value.* £	*Official Value.* £	*Official Value.* £
1799	18,556,891	31,252,836	8,760,196	25,122,208
1800	22,284,941	35,903,850	7,271,696	24,066,700
1801	22,851,986	36,929,007	11,549,681	28,257,781
1802	24,501,608	39,730,659	10,336,966	30,435,268
1803	25,195,893	45,102,230	12,677,431	28,308,373
1804	20,042,596	36,127,787	8,032,643	25,104,541
1805	22,132,567	37,135,746	8,938,741	26,454,281
1806	22,907,371	37,234,396	7,613,120	27,334,020
1807	25,266,546	39,746,581	7,717,555	25,554,478
1808	22,963,772	36,394,443	7,624,312	25,326,845
1809	24,179,854	36,306,385	5,776,775	25,660,953
1810	32,916,858	46,049,777	12,750,358	30,170,292
1811	33,299,408	47,000,926	9,357,435	27,613,294
1812	21,723,532	30,850,618	6,117,720	25,540,904
1813	28,447,912	39,334,526	9,533,065	24,923,922
1814	*	*	*	*
1815	32,200,580	43,447,373	19,157,818	32,620,771
1816	41,712,002	49,653,945	15,708,435	31,822,053
1817	34,774,521	40,328,910	13,441,665	26,374,921
1818	39,233,467	40,949,235	10,969,271	29,910,502
1819	41,960,555	45,180,150	10,835,800	35,845,340
1820	32,983,689	34,252,251	9,879,236	29,681,640
1821	37,820,293	35,569,077	10,525,026	31,515,222
1822	40,194,681	35,823,127	10,602 090	29,769,122
1823	43,558,488	36,176,897	9,211,928	29,432,376
1824	43,166,039	34,589,410	8,588,996	34,591,264
1825	48,024,952	37,600,021	10,188.596	36,056.551
1826	46,453,022	38,077,330	9,155,305	42,660,954
1827	40,332,854	30,847,528	10,066,503	36,174,350
1828	51,279,102	36,394,817	9,806,343	45,489,546
1829	52,019,723	36,150,379	9,928,655	43,536,187
1830	55,465,723	35,212,873	10,606:441	42,311,649
1831	60,492,637	37,691,302	8,535 786	44,815,397
1832	60,090,123	36,652,694	10,729,943	48,161,661
1833	64,582,037	36,016,027	11,036.759	43,257,417
1834	69,633,854	39,305,513	9,820,586	44,529,237
1835	73,495,536	41,286,594	11,519,913	47,908,951 †

* Records destroyed by fire.

† The great increase in the *official*, and the comparatively stationary amount of the *real*, value of the exports, has occasioned a great deal of erroneous discussion. The rates by which the official values of the exports are estimated were fixed in 1696, so that they have long ceased to be any test of their actual value, and are of use only as showing the fluctuations in the *quantities* exported. To supply this deficiency a plan was set on foot by Mr. Pitt, for keeping an account of the real value of the exports from the declarations of the exporters. Now, it has been contended, that, while the great increase in the official value of the exports since 1815 shows that the quantity of the articles exported has been proportionally augmented, their nearly stationary real value shows that we are selling this larger quantity for about the same price, — a result which is said to be most injurious. But the circumstance of a manufacturer or a merchant selling a large or a small quantity of produce at the same price, affords no criterion of the advantageousness of the sale; for if, through improvements in the arts or otherwise, a particular article may now be produced for half the cost of its production 10 or 20 years ago, it is obvious that double the quantity may be afforded at the same price without injury to the producers. And this has been most strikingly the case with the great articles of cotton, hardware, &c. The fall in the price of the former enables us to export and sell with a profit (for, unless such were the case, does any one suppose the exportation would continue?), at the same price, more than double the cotton stuffs and twist that we exported in 1815! Surely, however, this is, if any thing can be, a decisive proof of manufacturing improvement and commercial prosperity. — (See *antè*, p. 73. &c.)

II. Account of the Real or Declared Value of the Produce and Manufactures of the United Kingdom exported from Great Britain and Ireland to Foreign Parts in 1832, 1833, and 1834.

Species of Exports.	1832.	1833.	1834.
GREAT BRITAIN.	£ s. d.	£ s. d.	£ s. d.
Alum	4,771 15 9	2,759 1 2	1,515 2 8
Apparel, Slops, and Negro Clothing	376,091 16 5	405,785 6 10	435,297 18 1
Arms and Ammunition	274,950 17 0	321,922 10 9	312,980 15 9
Bacon and Hams	17,970 1 6	31,039 10 2	35,576 0 6
Beef and Pork, salted	66,180 5 6	96,390 8 9	99,162 6 6
Beer and Ale	198,715 7 0	203,195 14 1	182,584 4 5
Books, Printed	92,809 3 8	124,265 7 7	122,292 0 5
Brass and Copper Manufactures	916,226 4 9	883,241 8 9	961,606 2 11
Bread and Biscuit	12,877 2 4	9,121 2 11	7,671 8 9
Butter and Cheese	185,346 17 9	155,883 5 8	164,246 6 10
Cabinet and Upholstery Wares	43,907 10 4	43,417 19 1	47,510 12 9
Coals and Culm	226,772 15 3	228,959 6 9	218,205 14 3
Cordage	95,030 2 8	96,919 11 0	90,219 0 3
Corn, Grain, Meal, and Flour	27,407 9 2	32,360 12 6	25,479 11 10
Cotton Manufactures	12,622,880 2 10	13,754,992 17 10	15,281,494 13 0
Yarn	4,721,796 3 6	4,704,008 9 1	5,211,014 17 8
Cows and Oxen	510 6 0	654 0 0	1,255 10 0
Earthenware of all sorts	489,980 17 7	496,188 18 5	492,724 8 9
Fish of all sorts	213,607 10 0	234,591 18 0	200,034 6 0
Glass of all sorts	396,407 5 0	437,541 7 10	490,493 14 5
Haberdashery and Millinery	332,429 9 6	381,505 16 9	344,515 15 4
Hardwares and Cutlery	1,433,297 17 5	1,464,374 0 8	1,484,681 0 3
Hats, Beaver and Felt	144,111 3 5	129,820 2 11	125,644 12 6
of all other sorts	15,189 14 0	19,565 8 4	21,155 3 5
Hops	71,067 19 0	27,899 6 6	18,926 6 6
Horses	57,886 0 0	74,801 18 0	92,414 12 0
Iron and Steel, Wrought and Unwrought	1,189,250 10 2	1,403,073 12 2	1,404,756 1 10
Lard	5,529 3 0	7,963 17 3	7,169 0 10
Lead and Shot	144,598 10 10	120,648 13 0	142,480 13 2
Leather, Wrought and Unwrought	235,505 1 0	272,985 6 9	242,496 18 10
Saddlery and Harness	54,229 6 11	59,110 13 6	62,706 3 3
Linen Manufactures	1,647,002 0 8	2,093,663 10 2	2,364,980 5 0
Yarn	8,476 16 0	72,006 5 0	136,312 11 9
Machinery and Mill-work	92,714 11 1	126,597 10 11	211,953 19 8
Mathematical and Optical Instruments	16,430 18 5	17,792 7 1	21,007 8 4
Mules	1,056 0 0	1,092 10 0	1,861 0 0
Musical Instruments	36,601 13 10	41,086 10 8	43,213 19 6
Oil, Train, of Greenland Fishery	33,394 4 1	36,298 19 2	58,607 14 11
Painters' Colours	115,910 8 0	135,617 13 7	122,939 15 5
Plate, Plated Ware, Jewellery and Watches	173,617 13 1	179,219 12 6	191,854 3 0
Potatoes	7,707 10 0	9,443 15 6	6,453 17 8
Salt	147,176 12 0	180,580 0 2	149,842 7 6
Saltpetre, British Refined	24,482 0 10	11,552 15 0	30,881 17 0
Seeds of all sorts	4,996 0 5	6,681 5 6	7,115 5 9
Silk Manufactures	529,808 3 10	737,263 17 10	637,013 15 4
Soap and Candles	288,674 0 0	342,684 8 9	245,998 17 0
Spirits	7,193 11 6	12,487 10 2	10,114 18 0
Stationery of all sorts	176,497 9 7	209,526 11 3	208,139 8 9
Sugar, Refined	1,038,519 16 0	562,620 4 3	915,693 19 6
Tin, Unwrought	111,797 7 10	86,985 15 10	33,327 1 2
and Pewter Wares and Tin Plates	243,191 5 10	282,165 17 4	336,988 0 3
Tobacco (Manufactured) and Snuff	15,133 9 6	15,775 9 10	13,827 19 0
Tongues	1,550 13 0	2,091 13 0	2,898 17 0
Umbrellas and Parasols	40,493 8 2	43,041 2 4	43,791 16 2
Whalebone	16,975 15 0	16,570 12 3	21,437 4 0
Wool, Sheep's	219,650 1 0	326,140 0 2	192,175 14 1
of other sorts	24,088 0 0	27,462 10 0	22,878 12 0
Woollen and Worsted Yarn	235,307 1 0	246,204 0 0	238,541 11 9
Woollen Manufactures	5,239,991 11 2	6,289,649 2 11	5,734,017 5 5
All other Articles	880,255 0 6	968,228 15 6	954,413 16 11
Totals	36,046,027 11 5	39,305,512 19 8	41,286,594 5 6
IRELAND	398,497 7 2	361,834 8 9	362,597 4 0
Grand Total from Great Britain and Ireland	36,444,524 18 7	39,667,347 8 5	41,649,191 9 6

III. Account of the Real or Declared Value of the various Articles of the Manufacture and Produce of the United Kingdom, exported to Foreign Countries during each of the Eight Years ending with 1834; specifying their Value, the Countries to which exported, and the Value of those annually shipped for each. — (*Papers published by Board of Trade*, vol. iv. p. 227.)

Countries to which exported.	Exports.							
	1827.	1828.	1829.	1830.	1831.	1832.	1833.	1834.
	£.	£.	£.	£.	£.	£.	£.	£.
Russia	1,408,970	1,518,936	1,455,805	1,489,533	1,191,565	1,587,250	1,531,092	1,392,300
Sweden	46,751	42,699	38,252	40,188	57,127	64,932	59,519	63,091
Norway	39,729	53,582	64,231	63,926	58,580	34,598	55,038	61,955
Denmark	101,916	111,880	95,247	118,813	94,294	93,306	99,951	94,593
Prussia	174,338	179,145	189,011	177,923	192,816	258,556	144,179	136,123
Germany	4,654,618	4,394,101	4,473,555	4,463,605	3,642,952	5,068,997	4,355,548	4,547,166
Holland	2,101,561	2,142,736	2,050,014	2,022,458	2,082,536	2,789,398	2,181,893	2,170,467
Belgium							886,429	750,039
France	446,952	498,538	491,388	475,884	602,688	674,791	818,333	1,116,885
Portugal, Proper	1,400,014	945,016	1,195,404	1,106,695	975,991	840,792	967,091	1,600,123
Azores	26,687	27,940	31,244	23,629	41,638	77,920	54,430	63,275
Madeira	39,916	39,502	40,283	38,444	38,960	28,038	33,411	38,155
Spain and the Balearic Islands	223,414	301,153	861,675	607,068	597,848	442,926	442,837	325,907
Canary Islands	48,821	38,152	50,010	42,620	33,282	21,053	30,507	30,686
Gibraltar	1,045,466	1,038,925	504,163	292,760	367,285	461,470	385,160	460,719
Italy and the Italian Islands	1,942,752	2,176,149	2,202,030	3,251,379	2,490,376	2,361,772	2,316,260	3,282,777
Malta	200,949	239,458	224,010	189,135	134,519	96,991	137,458	212,696
Ionian Islands	37,196	41,078	30,465	56,963	50,883	55,725	38,915	91,498
Turkey and Continental Greece (exclusive of the Morea)	531,701	185,842	568,684	1,139,616	[888,654	916,319	1,019,604	1,207,941
Morea and Greek Islands		335		9,694	10,446	10,149	25,914	37,179
Egypt (Ports on the Mediterranean)	53,624	35,302	59,305	110,227	122,832	113,109	146,647	168,877
Tripoli, Barbary, and Morocco	8,201	13,745		1,138	496	751	2,350	14,825
Western Coast of Africa	155,759	191,452	244,253	252,193	234,768	290,661	329,210	326,183
Cape of Good Hope	216,558	218,049	257,501	330,036	257,245	292,405	346,197	301,382
Cape Verd Islands	76	5,856	240	1,710	215		146	550
St. Helena	41,430	31,362	45,531	38,915	39,431	21,236	30,041	31,614
Isle of Bourbon	127	33,188	16,341	10,012				7,091
Mauritius	195,713	185,572	205,558	161,029	148,475	163,191	83,421	149,319
Arabia								250
East India Company's Territories & Ceylon	5,662,012	4,256,582	3,659,218	3,895,530	3,377,112	3,514,779	3,495,301	2,578,569
China	610,637							812,552
Sumatra and Java	129,747	189,200	255,885	162,102	285,296	150,606	171,712	410,273
Philippine Islands	65,926	300	4,721	71,220	39,513	102,284	185,298	76,618
New South Wales, Van Diemen's Land, and Swan River	339,958	445,839	310,681	314,677	398,471	466,258	558,372	716,014
New Zealand, and South Sea Islands	172	2,487	845	1,396	4,752	1,576	936	
Ports of Siam				19,467				19,742
British North American Colonies	1,397,350	1,691,044	1,581,723	1,857,133	2,089,327	2,075,725	2,092,550	1,671,069
British West Indies	3,583,242	3,289,704	3,612,085	2,838,448	2,581,919	2,439,508	2,597,589	2,680,024
Hayti	257,931	248,528	297,709	321,793	376,103	543,101	381,628	357,297
Cuba & other Foreign West Indies	649,378	569,728	672,176	618,029	663,531	633,700	577,228	913,003
United States of America	7,018,272	5,810,315	4,823,415	6,132,316	9,053,583	5,468,272	7,579,699	6,814,989
Mexico	692,800	307,029	303,562	978,441	728,858	199,821	421,187	459,610
Guatemala	1,943	6,191					3,700	30,366
Columbia	215,972	261,113	232,703	216,751	248,250	283,568	121,826	199,996
Brazil	2,312,109	3,518,297	2,916,040	2,452,103	1,238,371	2,144,903	2,575,680	2,160,679
States of the Rio de la Plata	154,895	312,389	758,540	632,172	339,870	660,152	515,362	831,561
Chili	400,134	709,374	818,950	540,626	651,617	708,193	816,817	806,221
Peru	228,466	374,615	300,171	368,469	409,003	275,610	387,521	299,235
Isles of Guernsey, Jersey, Alderney, and Man	320,959	329,428	319,996	344,036	324,634	317,496	335,934	360,665
Totals	37,181,535	36,812,756	35,812,623	38,271,597	37,164,372	36,450,594	39,667,347	41,649,191

IV. Account of the Quantities of the different Articles of Foreign and Colonial Merchandise imported into, exported from, and retained for Consumption in the United Kingdom, with Net Revenue accruing thereon, during the Years ended 5th January, 1834 and 1835.

Descriptions of Merchandise.	Quantities imported.		Quantities exported.		Quantities retained for Consumption.		Net Revenue.	
	1833.	1834.	1833.	1834.	1833.	1834.	1833.	1834.
							£.	£.
Annatto . . lbs.	147,671	252,981	28,501	8,705	214,118	320,105	107	150
Ashes, Pearl and Pot . cwts.	169,729	94,134	11,595	6,136	166,422	89,960	1,505	1,326
Arrow Root . . lbs.	501,170	857,811	36,225	24,866	487,359	755,190	377	425
								Gross rev.
Barilla and Alkali . cwts.	214,523	193,971	2,458	3,233	219,503	180,490	16,703	17,754
							Drawbacks and repayments	4,460
								13,293

Table IV. — *continued.*

Descriptions of Merchandise.	Quantities imported.		Quantities exported.		Quantities retained for Consumption.		Net Revenue.	
	1833.	1834.	1833.	1834.	1833.	1834.	1833.	1834.
							L.	*L.*
Bark for tanning or dyeing - - - lbs.	852,201	849,300	351	1,132	851,279	849,561	26,674	28,276
Bark not for tanning or dyeing - - - —	- -	642,503	- -	382,318	- -	98,965	- -	439
Borax - - - - —	109,713	235,665	65,840	59,380	76,062	122,022	195	292
Boracic Acid - - - —	767,767	747,499	- -	18,682	773,140	693,021	1,384	1,248
Brimstone - - - cwts.	409,752	509,833	26,300	13,784	381,653	445,564	9,561	11,137
Bristles - - - lbs.	1,546,813	1,969,391	71,418	9,888	1,825,779	1,695,108	26,646	24,729
Cork, unmanufactured, cwts.	56,109	57,678	16	92	53,053	57,371	21,225	22,945
Coffee, viz. —								
British Plantation - lbs.	18,833,830	22,089,123	194,980	768,946	20,941,194	22,224,073	} 591,241	614,434
East India and Mauritius - - —	6,218,299	9,951,141	3,996,097	6,303,562	1,799,319	1,558,604		
Foreign Plantation - —	9,373,980	9,824,847	11,158,501	8,177,972	1,471	2,418		
Total - -	34,426,109	41,865,111	15,349,578	15,250,480	22,741,984	23,785,095		
Cocoa, viz. —								
British Plantation - lbs.	2,144,002	1,364,623	39,669	448,643	1,232,178	1,168,666		
East India - - —	- -	401	- -	- -	- -	5		
Foreign - - —	2,464,716	1,619,870	2,312,208	1,756,673	36,109	5,124		
All sorts - - —	4,608,718	2,984,894	2,351,877	2,205,316	1,268,287	1,173,795	12,026	11,779
Husks and Shells - —	515,688	404,039	- -	- -	449,168	443,786		
Chocolate and Cocoa Paste - - —	2,024	3,602	117	1,985	1,930	1,663		
Cotton Wool from Foreign Countries, viz. —								
United States of America - - lbs.	237,506,758	269,203,075						
Brazil - - - —	25,463,821	19,291,396						
Turkey and Egypt - —	987,262	855,167						
Other Foreign Countries - - —	1,696,108	2,260,852						
Cotton Wool from British Possessions, viz. —								
East Indies and Mauritius - - lbs.	32,755,161	32,920,865						
British West Indies, the growth of - —	1,683,166	1,672,211						
Ditto, imported from —	431,696	624,314						
Other British Possessions - - - —	162,862	47,545						
Total quantities -	303,656,837	326,875,425	17,363,582	24,461,963	293,682,976	302,935,657	473,011	373,812
Cotton Manufactures, viz.—								
Piece Goods of India, pieces	300,823	298,966	583,843	674,459	28,577	47,989	4,030	6,006
Manufactures at value	34,537	37,989	16,386	18,919				
Cotton Yarn - - lbs.	177,333	103,830	32,267	40,562	118,707	80,689		
Dyeing Stuffs, viz. —								
Cochineal - - —	359,381	410,387	130,732	265,490	178,246	139,860	4,739	3,485
Fustic - - tons.	9,854	14,048	1,616	1,482	7,660	10,434	1,567	2,112
Gum Arabic - - cwts.	15,185	17,424	358	819	12,078	17,613	5,561	5,301
Senegal - - —	15,125	15,503	- -	924	19,834	14,608	5,868	4,365
Animi and Copal, lbs.	447,783	572,798	165,216	253,257	191,279	241,959	634	658
Gum Tragacanth - —	85,035	31,166	1,632	5,169	58,827	34,227	158	92
Indigo - - - —	6,655,136	4,155,296	3,664,814	3,928,226	2,323,300	2,447,827	29,781	32,056
Lac Dye - - - —	326,894	708,959	52,811	88,234	435,572	393,474	1,170	1,057
Logwood - - tons.	26,080	21,054	7,045	4,548	17,595	14,026	3,492	2,942
Madder - - - cwts.	61,397	72,001	756	1,527	72,186	70,951	14,730	7,207
Madder Roots - - —	56,662	80,297	27	- -	60,549	76,271	3,721	1,892
Nicaragua Wood - tons.	2,856	3,836	1,082	1,853	1,801	2,702	509	728
Safflower - - cwts.	6,630	6,696	3,133	2,260	2,569	2,607	121	132
Shumac - - - —	138,786	159,141	1,626	698	147,856	163,665	4,856	346
Smalts - - - lbs.	130,422	126,965	33,667	8,957	217,777	164,232	4,130	2,705
Valonia - - - cwts.	178,585	174,196	42	250	169,140	187,527	8,456	9,372
Yellow Berries - —	- -	4,002	- -	86	- -	3,810	- -	381
Zaffres - - - lbs.	344,107	315,537	3,333	- -	338,983	283,986	154	127
Elephants' Teeth - cwts.	5,042	6,732	1,244	1,968	3,958	4,282	4,024	4,413
Flax and Tow, or Codilla of Flax and Hemp —	1,129,633	811,722	18,202	19,569	1,112,190	794,272	4,728	3,105
Fruit, viz. —								
Apples, not dried - bushels.	27,087	18,447	21	132	22,759	18,448	4,562	3,605
Almonds - - cwts.	15,891	19,894	11,338	11,293	6,525	5,967	6,923	6,485
Chestnuts - bushels	32,733	13,754	387	- -	33,817	18,109	3,365	1,741
Currants - - cwts.	142,559	192,756	10,554	12,967	140,445	165,523	311,063	242,180
Figs - - - —	16,994	31,513	2,965	4,093	16,494	19,476	17,701	16,394
Lemons and Oranges, chests	351,951	266,323	5,294	1,460	319,147	251,783	69,392	57,434
Grapes - value, *L.*	11,106	16,499	- -	10	11,106	16,489	2,235	884
Plums, dried - cwts.	757	250	7	16	625	277	861	382
French and Prunelloes —	- -	6,417	- -	75	- -	4,261	- -	4,263
Prunes - - - —	9,993	12,643	125	958	8,068	6,915	11,096	4,535
Raisins - - - —	158,321	213,744	36,127	27,655	137,692	147,467	149,195	122,272
Small Nuts - bushels	161,562	121,559	5,310	1,257	156,726	124,221	15,615	12,556
Walnuts - - —	19,113	29,002	1,846	908	14,843	29,475	1,502	2,926
Furs, undressed, viz. —								
Bear - - - No.	12,568	13,690	17,451	10,286	2,833	513	560	91
Beaver - - - —	42,649	117,225	188	786	92,098	59,675	1,742	1,225
Cat and Lynx - - —	19,637	61,127	4,691	6,087	37,479	46,311	984	239
Coney - - - —	544,578	726,169	2,134	10,959	545,550	700,254	281	356
Ermine - - - —	105,139	107,586	1,974	1,139	31,202	163,983	382	2,050
Fitch - - - —	181,466	224,216	- -	1,436	182,771	204,115	2,115	1,715
Fox - - - —	82,592	75,920	59,971	61,097	21,015	13,506	770	443
Marten - - - —	163,277	182,126	14,875	2,984	178,708	130,205	3,969	2,740
Mink - - - —	109,631	132,620	60,889	52,652	44,306	49,218	650	750
Musquash - - —	118,889	872,555	110,959	87,979	512,420	246,039	257	121

Table IV. — *continued.*

Descriptions of Merchandise.	Quantities imported.		Quantities exported.		Quantities retained for Consumption.		Net Revenue.	
	1833.	1834.	1833.	1834.	1833.	1834.	1833.	1834.
							L.	*L.*
Nutria . . No.	23,889	61,603	. .	7,498	23,889	51,216	29	26
Otter . . —	8,376	27,232	15,856	9,391	621	911	79	91
Raccoon . . —	230,715	206,954	327,801	189,548	568	9,235	3	76
Squirrel . . —	1,180,162	1,473,773	25,442	2,772	1,360,697	1,446,888	7,821	8,317
Hard Woods, viz. —								
Boxwood . . tons	598	1,063	45	18	535	657	2,638	3,239
Cedar under 8 inches square . . —	1,572	2,505	108	66	1,539	2,665	1,479	2,268
Mahogany . . —	14,818	16,957	1,208	482	15,115	16,721	41,630	39,797
Rosewood . . —	463	1,677	105	42	1,018	1,156	10,474	11,615
Hats or Bonnets, viz. —								
Of Bast, Cane, Chip, or Horsehair . No.	1,733	11,685	2	18,394	1,616	3,317	140	279
Of Straw . . —	25,723	16,550	56,093	23,956	21,469	11,487	6,092	3,260
Platting of Bast, Cane, &c. . lbs.	535	93	1,566	753	27	20	27	20
Ditto of Straw . —	22,223	45,372	2,801	2,832	22,079	25,470	18,768	20,915
Unmanufactured Straw for Platting, cwts.	1,987	Cwts. 2,492	Value, *L.* 14	Cwts. 26	Value, *L.* 2,511	Cwts. 2,273	Repayments exceed the gross rept.	9
Hemp, undressed . —	527,159	673,811	32,170	19,672	512,623	666,096	2,112	2,844
Hides, untanned, viz. —								
Buffalo, Bull, Ox, Cow, or Horse Hides —	296,300	437,291	29,366	56,127	265,861	342,718	39,027	51,769
Hides, or pieces of Hides unenumerated . value, *L.*	1,301	792	229	16	1,072	776		
Hides, tanned, viz. —								
Buffalo, Bull, Ox, Cow, or Horse Hides, lbs.	65,702	80,262	10,450	4,964	48,578	40,339	532	517
Muscovy or Russia . No.	8,244	5,120	4,658	461	3,451	3,747	863	937
Hides and pieces of Hides unenumerated . value, *L.*	6	50	. .	. .	6	50	2	15
Horns . . . cwts.	42,703	46,656	8,953	10,509	25,059	29,336	2,952	3,445
Jalap . . . lbs.	. .	88,111	. .	5,693	. .	50,720	. .	1,233
Iron Bar . . . tons	17,913	16,215	2,024	2,885	15,573	15,399	23,388	23,374
Isinglass . . cwts.	. .	1,970	. .	48	. .	1,689	. .	3,976
Lead — Pig . . tons	790	970	9,015	865	. .	26	61	51
Leather Gloves . pairs	1,436,472	1,697,914	. .	22,638	1,411,215	1,603,828	. .	29,952
Linens, viz. —								
Cambrics and border Handkerchiefs . pieces	48,253	37,693	501	321	48,763	37,374		
Lawns, not French, sq. yds.	. .	. .	. .	. .	. .	. .		
Damasks and Damask Diaper . . —	2,699	10,957	288	43	2,695	10,914		
Drillings, Ticks, and Twilled Linens . —	745	1,721	. .	. .	286	590		
Sailcloth . . —	2,996	12,754	2,962	1,747	195	272		
Sails . . value, *L.*	574	407	4	. .	570	407		
Plain Linen and Diaper . . sq. yds.	40,171	29,486	17,914	14,430	. .	. .	20,398	17,521
Ditto . . cils	352,027	537,526	16,606	17,792	4	. .		
Ditto . . pieces	41,282	49,349	47,191	69,363	. .	. .		
Lawns not French, plain Linens and Diapers and Manufactures of Linen unenumerated . value *L.*					. .	. .		
Linen Yarn . . cwts.	13,401	11,994	566	917	16,890	16,428		
Liquorice Juice . . —	13,970	14,695	. .	109	14,012	14,405	. .	720
Molasses . . —	7,783	6,071	. .	107	6,739	6,141	. .	22,550
Oil — Castor . . lbs.	717,934	678,382	1,532	2,078	643,536	507,980	289,623	228,621
Olive . . . galls.	343,802	694,371	26,246	37,053	361,396	546,436	621	633
Cocoa Nut . . cwts.	1,891,918	2,318,142	397,367	234,930	1,368,217	2,225,227	45,743	46,363
Palm . . . —	. .	5,810	. .	618	. .	7,505	. .	639
Train, Spermaceti, and Blubber . tuns	267,191	270,669	19,738	20,412	216,225	264,306	27,043	23,606
Opium . . . lbs.	32,876	25,334	2,033	3,727	31,242	21,462	1,761	1,359
Provisions, viz. —	106,846	48,216	53,001	31,601	35,407	28,467	7,088	5,700
Beef and Hams . cwts.	3,735	3,727	1,693	2,120	1,605	1,467	2,243	2,056
Beef, Salted . —	4,732	4,135	4,182	3,618	979	1,217	884	731
Butter . . —	136,986	135,872	2,721	2,301	135,864	130,170	135,961	130,309
Cheese . . —	134,074	146,595	5,884	6,784	128,065	140,181	66,816	73,505
Eggs . . . No.	67,603,114	69,588,589	2,000	. .	67,601,114	69,588,589	23,521	24,169
Fish, Anchovies . lbs.	179,022	153,849	2,215	3,064	177,421	166,080	1,479	1,303
Eels . . ship loads	61	68	. .	. .	61	68	956	1,066
Oysters . . bushels	17,893	9,008	. .	. .	Duty paid 17,893	9,008	1,349	660
Of Newfoundland and British America . cwts.	. .	51,974	. .	17,412	. .	34,562		
Fish, Salted . —	. .	3,730	. .	3,331	. .	9	. .	6
Quicksilver . . lbs.	1,597,866	773,807	1,166,137	756,160	260,158	193,421	1,085	810
Rags and other Materials for making Paper . . tons	9,540	10,965	. .	110	9,580	10,042	2,391	2,523
Rhubarb . . .	178,320	85,208	63,944	77,458	62,104	49,042	2,594	2,451
Rice, cleaned, from East Indies and British Possessions in Africa and America, cwts.	202,318	310,511	Foreign 55,536	Cleaned. 117,056	. .	. .		
From Foreign Countries in Europe, Africa, & America —			Cleaned in United Kingdom.			Cleaned.		
In the Husk, from the East Indies and	16,568	6,729	9,458	4,143	122,784	108,315		

Table IV. — *continued.*

Description of Merchandize.	Quantities Imported.		Quantities exported.		Quantities retained for Consumption.		Nett Revenue.	
	1833.	1834.	1833.	1834.	1833.	1834.	1833.	1834.
British Possessions in Africa and America . . bushels	12,891	30,267	. .	. .	. .	. .		
From Foreign Countries in Europe, Africa, & America —	193,183	288,419	Rough or in the Husk. 2,827	1,385	In the Husk 153,666	In the Husk 255,406	27,989	34,100
Sago . . . cwts.	7,678	25,764	1,741	2,822	6,918	13,527	347	697
Saltpetre and Cubic Nitre . . . —	165,746	339,488	20,737	68,276	160,233	215,963	4,184	5,992
Seed, viz. —								
Caraway . . —	1,765	7,610	33	620	1,367	4,270	2,022	6,341
Clover . . —	53,262	62,371	940	885	51,797	56,955	58,886	57,010
Flax and Linseed . bushels	2,179,135	2,210,237	652	7,523	2,222,967	2,211,965	13,923	13,850
Onion . . . lbs.	31,581	85,332	7,714	1,100	28,80-	40,150	2,155	3,014
Rape . . . bushels	593,190	501,998	19,815	800	565,316	516,125	3,296	3,230
Tares . . . —	37,474	83,248	1,609	. .	50,464	69,969	2,955	4,252
Silk, viz. —								
Raw Silk.								
From India . . lbs.	970,434	1,788,429						
Cape of Good Hope —	36,056	40,395						
China . . —	92,181	582,834						
Turkey . . —	368,020	418,127			4,417,027	. .	16,909	15,860
Italy . . —	213,100	93,430						
France . . —	907,819	638,651						
Other Countries . —	272,095	81,363						
Total of Raw Silk . —	2,785,109	3,613,512	66,187	207,007				
Waste and Knubbs.								
From India . . —	19,184	36,911						
China . . —								
Italy . . —	164,636	309,784						
France . . —	413,438	596,170			267,472	. .	292	450
Other Countries . —	52,173	69,756						
Total of Waste and Knubbs . —	649,431	1,012,951						
Thrown Silk, viz. —								
From Italy . . —	2,769	1,473	Foreign.	Thrown.				Excess of drawback
France . . —	214,891	180,459	5,750	20,998	. .	. .		14,337
Other Countries . —	11,456	10,217	British.	Thrown.			17,325	
Total of Thrown Silk —	229,119	192,149	1,218	3,021				
Silk manufactured Goods, viz. —								
Manufactures of Europe.								
Silk or Satin, and Silk or Satin Ribbons . . —	69,449	93,029	11,973	11,625	. .	. .		
Gauze and Gauze Ribbons . . —	66,779	73,490	1,616	1,197	. .	. .		
Crape . . . —	6,009	4,305	426	545	. .	. .		
Velvet and Velvet Ribbons . . —	12,521	10,230	2,092	2,598	. .	. .		
Ribbons, embossed or figured with Velvet . . —	769	216	. .	56	. .	. .		
Fancy Silk Net or Tricot . . —	1,623	2,123	4	. .	. .	. .		
Silk mixed with Metal . . . —	138	510	5	293	. .	. .		
Total entered by Weight . . —	157,291	183,813	16,139	16,114	. .	. .	169,852	190,767
Plain Silk, Lace, or Net, called Tulle . sq. yds.	45,823	31,356	399	346	. .	. .		
Millinery, viz. —								
Turbans or Caps . No.	441	465	13	65	. .	. .		
Hats or Bonnets . —	736	708	112	178	. .	. .		
Dresses . . —	478	247	193	148	. .	. .		
Entered at Value . *L.*	15	. .	4,982	6,267	. .	. .		
Manufactures of Silk, or of Silk and any other Materials not particularly enumerated . . *L.*	72,160	92,036	4,482	8,267	. .	. .		
Manufactures of India, viz. —								
Bandannoes, Romals, and Silk Handkerchiefs . . pieces	296,160	379,696	476,314	176,238	. .	. .		
Silks and Crapes in Pieces . . —	3,993	1,577	6,028	203	. .	. .	21,976	29,098
Crape Shawls, Scarfs, and Handkerchiefs —	16,205	973	17,182	8,505	. .	. .		
Skins, viz. —								
Calf and Kid, Untanned . . cwts.	50,097	77,826	637	2,018	49,770	72,209	10,121	15,100
Tanned, tawed, curried, or dressed . lbs.	1,195	3,630	1,710	. .	1,004	3,205	37	169
Deer, undressed . No.	151,010	296,718	142,623	194,198	42,447	55,082	274	230
Goat, undressed . —	362,418	601,498	51,615	28,143	355,022	476,097	2,779	1,012
Kid, in the hair . —	477,303	207,494	5,315	25,926	180,658	181,592	30	35
Dressed . . —	636,922	617,414	552	. .	636,370	617,414	3,179	5,091
Lamb, undressed . —	2,468,163	2,854,070	50,846	70	2,118,489	2,794,343	412	468
Tanned, tawed, or dressed . . —	20,810	28,537	. .	3,000	20,810	19,497	101	98
Seal, undressed . —	429,905	559,855	3,997	7,338	438,675	549,073	226	184
Sheep, undressed . —	243,988	346,386	5,169	8,981	252,752	254,311	1,074	1,048
Spelter . . . —	. .	55,168	. .	28,385	. .	41,668	. .	6,901
Spices, viz. —								
Cassia lignea . . lbs.	1,227,710	2,066,836	1,341,516	1,680,350	77,067	100,182	1,778	2,136
Cinnamon . . —	102,402	221,222	447,855	222,495	11,078	11,686	357	310

Table IV. — *continued.*

Description of Merchandise.		Quantities imported.		Quantities exported.		Quantities retained for Consumption.		Nett Revenue.	
		1833.	1834.	1833.	1834.	1834.	1834.	1833.	1834.
Cloves	lbs.	265,414	150,184	144,767	55,400	66,455	86,488	6,379	8,571
Ginger	cwt.	16,206	20,031	5,871	10,977	7,613	11,352	4,410	6,331
Mace	lbs.	20,390	27,772	10,564	6,677	15,014	17,184	2,613	3,03
Nutmegs	—	119,050	242,091	96,195	175,640	92,954	119,228	11,621	15,14
Pepper	—	8,729,552	7,675,340	3,997,027	6,391,247	2,228,393	2,457,010	111,174	122,55
Pimento	—	4,841,973	1,396,773	2,810,384	1,799,143	330,245	382,761	6,594	6,75
Spirits, &c.									
Rum Imp. proof	galls.	5,146,877	5,158,489	1,834,206	1,642,282	3,492,193	3,315,177	1,570,797	1,505,16
Brandy	—	2,623,313	3,170,297	795,482	912,335	1,357,211	1,388,639		
Geneva	—	420,016	347,597	362,955	261,571	20,798	21,632	1,559,860	1,595,595
Other sorts	—	79,059	46,432	67,747	43,160	9,585	9,901		
Sugar, viz. —				Raw					
West India	cwts.	3,655,621	3,844,243	366,550	598,744	3,651,804	3,741,579	4,414,302	4,559,39
East India and Mauritius	—	737,663	697,141	Refined					
Foreign	—	346,018	202,030	245,698	401,044				
Tallow	—	1,115,427	1,397,407	39,245	19,068	1,090,765	1,160,180	171,605	182,99
Tar	—	10,152	13,839	-	474	10,093	13,105	-	3,95
Tea	—	32,057,832	33,643,980	254,460	1,181,005	31,829,619	34,969,651	4,444,102	3,539,36
Timber, viz. —									
Battens and Batten Ends	—	10,597	13,360	60	88	12,384	13,560	116,215	129,77
Deal and Deal Ends, great hd.		55,798	67,105	1,098	860	57,291	62,803	521,494	601,91
Masts, 6 and under 8 inches in diameter	No.	9,169	10,223	484	269	8,766	9,595	10,149	8,10
8 and under 12 inches in diameter	—	3,136	3,855	213	210	3,209	3,619		
12 and upwards,	loads	4,416	4,470	466	86	4,833	3,791		
Oak Planks	—	2,381	2,739	19	1	2,549	2,616	10,149	10,44
Staves great hd.		63,896	86,855	3,081	2,634	65,480	83,186	43,386	36,75
Fir, 8 inches square and upwards	loads	466,694	489,466	910	624	481,523	493,200	437,629	440,30
Oak, ditto	—	27,622	26,494	42	32	27,236	26,854	33,775	33,07
Unenumerated ditto	—	32,484	41,769	90	54	33,111	40,352	8,308	10,17
Wainscot Logs ditto	—	-	3,031	-	-	-	3,269	-	8,36
Tin	cwts.	55,125	46,770	39,850	46,685	8	15	-	3
Tobacco, viz. —									
Unmanufactured	lbs.	22,052,579	38,517,861	8,060,562	12,980,951	20,502,971	21,048,384	3,140,085	3,223,61
Manufactured or Segars	—	386,609	959,882	210,914	273,360	143,856	145,385		
Snuff	—	3,864	164	2,359	10,305	138	161		
Turpentine (under 12s. per cwt. in value)	cwts.	322,279	300,548	207	187	325,990	331,900	70,206	71,92
Wax, flees' viz. —									
Unbleached	—	2,778	5,982	1,605	1,304	1,234	5,402	-	4,12
Bleached	—	1,008	661	1,019	532	83	76	-	
Whalefins	—	-	12,465	-	662	-	11,391	-	57
Wool, Sheep and Lambs'	lbs.	38,046,087	46,455,232	442,696	807,562	39,066,620	40,840,271	137,855	131,31
Foreign Woollen Manufactures, viz. —									
Woollen Cloths for exportation	pieces	436	700	566	700	-	-	11,576	11,32
Manufactured, entered at value	£.	76,271	74,375	1,585	1,438	74,686	72,937		
Worsted Yarn	lbs.	11,953	10,475	-	1	11,953	8,038		
Wine, viz. —									
Cape	Imp. galls.	454,394	484,298	16,436	5,568	515,191	524,081	75,975	72,04
French	—	275,306	363,376	99,540	128,506	232,550	260,630	63,165	71,13
Portugal	—	2,236,733	4,243,427	345,577	296,538	2,296,530	2,780,303		
Spanish	—	3,568,530	3,446,563	754,306	688,024	2,246,045	2,272,853		
Madeira	—	301,057	372,698	209,194	173,910	161,012	160,369	1,491,078	1,562,34
Other sorts	—	817,761	885,751	312,245	346,576	426,372	485,308		
All sorts	—	7,443,841	9,766,116	1,613,298	1,639,121	6,207,770	6,480,544	1,629,219	1,705,58
Additional Duty on Wine in Dealer's Stocks	—	-	-	-	-	-	-	4,611	11
								1,633,830	1,705,69

Places where Foreign Trade is principally carried on. — The following table of the gross and nett duties collected at the different custom-houses of the United Kingdom, affords the best measure that can be obtained of the trade of each. It must not, however, be altogether depended upon. Some ports are principally distinguished by their export, and others by their import, trade; and the greater portion by far of the customs' duties being laid on imports, the trade of the exporting ports is made to appear less than it really is, while that of the importing ports is made to appear greater. On the whole, however, the table is not very wide of the mark; and for most practical purposes may be held to be correct.

Account of the Gross and Nett Amount of the Duties collected at each Custom House of the United Kingdom in the Years 1833 and 1834.

ENGLAND.

Ports.	Gross Receipt, 1833.	Gross Receipt, 1834.	Nett Receipt, 1833.	Nett Receipt, 1834.
	£.	£.	£.	£.
London	8,692,898	10,697,264	7,662,521	9,576,972
Aberystwith	1,745	176	706	
Aldborough	378	92		
Arundel	2,344	3,109		
Barnstaple	10,707	10,569	8,977	8,642
Beaumaris	2,096	2,546		
Berwick	4,146	17,300		
Bideford	4,061	3,435	1,338	516
Blackney & Clay	1,217	1,251		
Boston	8,682	10,804	4,563	6,671
Bridgewater	8,020	7,809	6,712	6,494
Bridlington	62	26		
Bridport	5,774	6,364	3,028	3,273
Bristol	1,083,342	1,072,107	1,016,813	998,009
Cardiff	3,070	3,886	2,137	2,666
Cardigan	1,897	588	962	
Carlisle	25,973	24,111	24,904	23,050
Chepstow	1,094	902	531	403
Chester	23,615	25,004	22,361	23,755
Chichester	1,034	1,530		
Colchester	14,744	15,973	10,211	11,413
Cowes	1,068	1,292		
Dartmouth	3,352	3,093		
Deal	226	188		
Dover	92,704	60,897	56,543	29,250
Exeter	59,754	69,746	48,648	58,876
Falmouth	21,500	21,662	11,321	10,137
Faversham	4,734	6,283		
Fowey	11,625	12,153		
Gloucester	106,761	131,103	103,116	126,068
Goole	47,902	76,908	45,926	75,014
Grimsby	7,520	17,310	1,717	11,169
Gweek	10,791	5,141	2,117	
Harwich	47	466		
Hull	624,038	682,009	594,296	650,765
Ilfracombe	85	290		
Ipswich	32,325	33,202	30,601	31,468
Lancaster	39,251	46,353	35,591	42,636
Llanelly	2,087	2,789	963	1,573
Liverpool	3,733,166	3,846,306	3,540,472	3,622,311
Lyme	1,439	1,684		
Lynn	34,125	33,124	29,839	34,089
Maldon	2,651	4,697		
Milford	4,984	10,538		
Minehead	94	49		
Newcastle	289,042	286,918	273,551	271,288
Newhaven	9,915	11,358		1,987
Newport	6,088	8,178	5,191	7,323
Padstow	2,899	2,533		
Penzance	14,405	12,904		
Plymouth	108,997	94,496	89,064	72,739
Poole	9,686	8,964	486	
Portsmouth	59,348	55,174	40,886	34,839
Ramsgate	10,060	9,871		
Rochester	17,939	26,274		8,428
Rye	6,257	6,297		
St. Ives	4,272	2,955		
Scarborough	1,162	1,934		
Scilly	36	192		
Shoreham	24,920	26,556	11,674	13,760
Southampton	45,329	46,825	27,038	28,529
Southwold	77	405		
Stockton	54,916	47,879	50,050	42,964
Sunderland	81,610	65,284	75,636	59,133
Swansea	4,628	4,290	1,634	977
Truro	24,926	26,585	8,340	8,651
Wells	299	333		
Weymouth	12,245	12,156		
Whitby	2,828	1,780		
Whitehaven	86,364	86,063	82,112	81,286
Wisbeach	5,877	6,210	4,713	4,883
Woodbridge	1,024	2,263		
Yarmouth	56,487	64,411	42,803	51,205
Douglas (Isle of Man)	23,878	25,904	15,570	17,789
Totals	15,705,410	17,912,981	13,995,072	16,060,994

SCOTLAND.

Ports.	Gross Receipt, 1833.	Gross Receipt, 1834.	Nett Receipt, 1833.	Nett Receipt, 1834.
	£.	£.	£.	£.
Aberdeen	57,879	54,581	49,680	45,939
Ayr	1,532	1,910	499	374
Banff	971	606		
Borrowstoness	6,425	4,379	3,783	2,557
Campbelltown	487	689		
Dumfries	4,227	4,311	642	668
Dundee	48,648	48,593	42,692	42,338
Glasgow	166,913	270,687	159,912	265,945
Grangemouth	18,027	25,297	15,091	20,482
Greenock	450,426	482,138	383,853	350,168
Inverness	658	977		
Irvine	3,001	2,428	1,137	576
Kirkaldy	6,706	7,254	2,593	3,170
Kirkwall	736	1,148		
Leith	395,910	336,906	255,075	267,653
Lerwick	1,135	1,734	137	662
Montrose	6,406	7,369	1,215	2,135
Port Glasgow	161,894	140,284	152,727	107,466
Stornoway	586	366		
Stranraer	283	342		
Thurso	2,545	1,269	916	
Totals	1,338,398	1,441,214	1,070,745	1,108,633

IRELAND.

Ports.	Gross Receipt, 1833.	Gross Receipt, 1834.	Nett Receipt, 1833.	Nett Receipt, 1834.
	£.	£.	£.	£.
Baltimore	891	1,041		
Belfast	229,145	289,025	200,951	259,963
Coleraine	2,147	2,091		
Cork	193,060	198,089	162,245	166,133
Drogheda	10,213	15,367	6,316	11,669
Dublin	654,766	768,632	576,900	691,057
Dundalk	4,516	4,497		
Galway	31,569	38,308	21,661	28,902
Limerick	117,798	136,911	97,336	116,900
Londonderry	72,875	87,470	56,686	71,954
Newry	43,427	51,084	29,896	37,444
Sligo	28,954	34,916	12,799	18,330
Waterford	116,045	125,029	105,736	113,010
Westport	437	597		
Wexford	5,661	4,037		
Totals	1,511,604	1,757,144	1,268,526	1,514,862

TOTALS.

Ports.	Gross Receipt, 1833.	Gross Receipt, 1834.	Nett Receipt, 1833.	Nett Receipt, 1834.
	£.	£.	£.	£.
England	15,705,410	17,912,981	13,995,072	16,060,994
Scotland	1,338,398	1,441,214	1,070,745	1,108,633
Ireland	1,511,604	1,757,144	1,268,526	1,514,862
The United Kingdom	18,555,412	21,111,339	16,334,343	18,684,489

SECT. III. — *Means and Instruments by which Commerce may be facilitated and carried on.*

1. MONEY.—The circumstances that occasioned the introduction and use of gold and silver coins in all civilised societies, have been repeatedly elucidated. They serve both as standards by which to measure the value of other things,

and as the universal equivalent, or *marchandise bannale*, the employment of which serves, in no ordinary degree, to facilitate exchanges.

In England a pound troy, or 12 oz. of the metal of which silver coins are made, contains 11 oz. 2 dwts. pure silver, and 18 dwts. alloy. Since 1816 this pound has been coined into 66 shillings, so that each of our current shillings contains 80·727 grains fine silver, and 87·27 grains standard silver; and the money pound, consisting of 20 such shillings, contains 1614·545 grains pure silver, and 1745·454 grains standard silver. All the English silver coins have been coined out of silver of 11 oz. 2 dwts. fine from the Conquest to this moment, except for the short period of 16 years, from the 34th Henry 8th to 2d Elizabeth.

The fineness of gold is estimated by carat grains, equivalent to $2\frac{1}{2}$ dwts. troy; gold of the highest degree of fineness, or pure, being said to be 24 carats fine. The purity of our present gold coins is 11 parts fine gold and 1 part alloy. The sovereign, or twenty-shilling piece, contains 113·001 grains fine gold, and 123·274 grains standard gold. The pound troy of standard gold is coined into 46 sovereigns and $\frac{20}{1\,2\,0}$ths of a sovereign, or into 46*l.* 14*s.* 6*d.* The mint or standard price of gold is, therefore, said to be 46*l.* 14*s.* 6*d.* per pound troy, or 3*l.* 17*s.* $10\frac{1}{2}$*d.* an ounce.

The alloy in coins is reckoned of no value: it is allowed in order to save the trouble and expense that would be incurred in refining the metals to their highest degree of purity; and because, when its quantity is small, it renders the coin harder, and less liable to be worn or rubbed. Were the quantity of alloy considerable, it would lessen the splendour and ductility of the metals, and would add too much to the weight of the coins.

Originally, the coins of all countries seem to have had the same denominations as the weights commonly used in them, and contained the exact quantity of the precious metals indicated by their name. Thus the talent was a weight used in the earliest period by the Greeks; the as, or pondo, by the Romans; the livre by the French; and the pound by the English and Scotch: and the coins originally in use in Greece, Italy, France, and England bore the same names, and weighed precisely a talent, a pondo, a livre, and a pound. The standard has not, however, been preserved inviolate, either in ancient or modern times. The necessities of governments, and the unfounded notion so generally diffused that coins derived their value rather from the coinage than from the quantity of metal contained in them, have every where led to their degradation. They have been less enfeebled in this than in any other country; but even here the quantity of silver in a pound sterling is less than the third part of a pound weight the quantity it contained down to 1300. At the union of the crowns, in 1604, the coins current in Scotland contained the *twelfth part* only of the silver they contained in 1296. In France the livre, current in 1789, contained less than one sixty-sixth part of the silver implied in its name, and which it had contained previously to 1103. In Spain, and some other countries, the degradation has been carried even further.

When two metals, as gold and silver, are formed into coins, and may be used indifferently as legal tenders in all payments, the proportion which the one bears to the other must be fixed by authority. But how accurately soever this proportion may be made to correspond with the real value of the metals when it is fixed, it will not continue to be accurate for any considerable period. Each of the metals is liable to have its value affected by circumstances which may not affect the other; and whenever any variation of this sort takes place, it becomes the interest of all debtors to use that metal only which is overvalued, so that it becomes the only currency. In the French mint silver was for a long period overvalued, as compared with gold; and in England gold was for a long period overvalued, as compared with silver: and hence the reason that silver coins form almost the sole

currency of France; and that from the accession of George I. gold coins have been the principal currency of England.

The following table, calculated by Martin Folkes, Esq., exhibits in a brief space the various alterations that have been made in our money standard, from the Conquest down to 1816.

Table showing the Fineness of the Silver in English Coins, the Weight of Twenty Shillings in Tale, the Value of such Twenty Shillings in present Money, &c. from the Conquest to 1601.

Reigns and Years.		Fineness of the Silver.		Weight of 20s. in Tale, Troy Weight.			Value in present Money.			Proportion.	Fine Gold to fine Silver.
		oz.	dwts.	oz.	dwts.	gr.	£	s.	d.		
Conquest	1066	11	2	11	5*	0	2	18	1½	2·906	No gold.
28 Edw. I.	1300	-	-	11	2	5	2	17	5	2·871	
18 Edw. III.	1344	-	-	10	3	0	2	12	5¾	2·622	12·583
20 ditto	1346	-	-	10	0	0	2	11	8	2·583	11·571
27 ditto	1353	-	-	9	0	0	2	6	6	2·325	11·158
13 Hen. IV.	1412	-	-	7	10	0	1	18	9	1·937	
4 Edw. IV.	1464	-	-	6	0	0	1	11	0	1·055	10·331
18 Hen. VIII.	1527	-	-	5	6	16	1	7	6¾	1·378	11·267
34 ditto	1543	10	0	5	0	0	1	3	3¼	1·163	10·435
36 ditto	1545	6	0	5	0	0	0	13	11½	0·698	6·818
37 ditto	1546	4	0	5	0	0	0	9	3¾	0·466	5
3 Edw. VI.	1549	6	0	3	6	16	0	9	3¾	0·466	5·151
5 ditto	1551	3	0	3	6	16	0	4	7¾	0·232	2·011
6 ditto	1552	11	1	4	0	0	1	0	6¾	1·028	11·05
1 Mary	1553	11	0	4	0	0	1	0	5¾	1·024	11·05
2 Eliz.	1560	11	2	4	0	0	1	0	8	1·033	11·1
43 ditto	1601	11	2	3	17	10	1	0	0	1	10·905

From the 43d of Elizabeth no change was made in the silver coinage for more than two centuries, or till 1816, in the 56th of George III., when the pound of silver was ordered to be coined into 66 instead of 62 shillings; the additional 4 shillings being retained by government as a seignorage or duty (amounting to $6\frac{14}{31}$ per cent.) on the coinage. This, however, did not really in any degree affect the standard of our currency, which for about a century previously had in fact consisted of gold and not of silver. This system, which had grown up in the way stated above, was, in 1816, established by law. Gold was then declared to be the only legal tender in all payments of more than 40*s.*; and the weight of the silver coins being at the same time reduced, they were made a merely subsidiary species of currency, the supply of which was retained exclusively in the hands of government. This system has been found to answer extremely well. No seignorage is charged on the coinage of gold, the expence of which amounts to about 10*s.* per cent.

The quantity of gold coin at present in circulation in Great Britain, exclusive of that in the coffers of the Bank of England and of her branches, is supposed to amount to about *thirty* millions.

Value of Foreign Coins in Sovereigns. — Owing to the sovereign or standard coin of this country consisting of gold, while the standard coins of most other countries consist of silver, the value of the one as compared with the others, does not depend merely on the quantity of pure gold in the sovereign and the quantity of pure silver in the franc, dollar, &c., but partly on that circumstance, and partly on the relative values of gold and silver at the time. At present a franc is worth about 9·7*d.*; a Spanish dollar, 4*s.* 4*d.*; a Sicca rupee, 2*s.*; a Prussian rixdollar, 3*s.*, and so forth.

* The Saxon, or Tower pound, which was then the common weight, and continued to be the money weight till the 18th Henry VIII., was but 11 oz. 5 dwt. troy; so that 20 shillings in tale was then exactly a pound in weight.

Copper coins are only legal tender to the extent of 1*s.*; being in respect of silver what silver coins are now in respect of gold.

Paper Money — Banks. — Notwithstanding the precious metals are, in many respects, admirably fitted to serve as a medium of exchange, they have two very serious drawbacks, — their cost, and the difficulty and expense of carrying them from place to place. If the currency of Great Britain consisted only of gold, it would amount to at least sixty millions of sovereigns; and the expense attending such a currency, allowing only ¼ per cent. for wear and tear and loss of coins, could not be reckoned at less than 3,250,000*l.* a year. It is obvious, too, that were there nothing but coins in circulation, the conveyance of large sums from place to place, to discharge accounts, would be a very laborious process, and that even small sums could not be conveyed without considerable difficulty; and hence it is that most commercial and highly civilised nations have endeavoured to fabricate a portion of their money of less costly materials, and have resorted to various devices for economising the use of coin. Of the substitutes for coin hitherto suggested, paper is, in all respects, the most eligible. Instead of discharging their debts by a payment of the precious metals, individuals, on whose solvency the public may rely, pay them by giving a bill or draft for the sum, payable in coin at sight, or at so many days after date; and as this bill, or draft, passes currently from hand to hand as cash, it performs all the functions of coin, while it saves its expense to the public. A sense of the advantages that might be derived from the circulation of such bills or drafts led to the institution of banks for their regular issue.

By a bank of this description, or a *bank of circulation*, is meant an establishment founded by one or more individuals, known or believed to be possessed of large property, for the accommodation of the public with loans. A banker, on being applied to for a loan, does not make the advance in gold or silver, or other valuable material, but in his own promissory notes or engagements, binding him to pay the sums specified in them at sight, when presented at the bank, or at some specified period. When a bank is in good credit, its notes are deemed by the public equivalent to a corresponding amount of gold or silver; and, being freely accepted in payment of debts of all sorts, and easily carried about or conveyed by post, they are even more useful to those who originally borrowed them from the bank, and to their subsequent holders, than an equal sum in coin. The borrowers, therefore, do not scruple to pay the same interest for the loan of a promissory note of 100*l.* or 1,000*l.* that they would do for the loan of a hundred or a thousand sovereigns. But the note costs the issuer comparatively little. He, in fact, deals in credit, or in obligations to pay, and not in real values; his profits consisting in the excess of interest derived from the notes or obligations he has issued over and above the interest of the cash or unproductive stock he is obliged to keep in his coffers to meet the demands of the public for payment of his notes, and the expenses of his establishment.

Besides this sort of banks there are also *banks of deposit*, or banks for keeping the money of individuals. A merchant, or other person, using a bank of this sort, makes all his considerable payments by drafts upon his bankers, and sends all the bills due to him to them to be presented, and noted if not duly paid. By this means he saves the trouble and expense of keeping a quantity of unemployed money at home, of receiving coins or notes that are not genuine, and of making any mistakes with respect to the presentation of due bills; and in consequence of the saving of money that is thus effected, a much less quantity serves for the demand of the public.

If a bank of circulation, or an establishment for the issue of notes, fall into discredit, its notes must obviously cease to circulate. Unless when guaranteed by government, or made legal tender, no one ever takes promissory notes, except on the supposition that they will be paid when presented or

when due, and that they are substantially equivalent to cash. The moment any suspicion (whether well or ill founded is so far of little consequence) arises that the issuers of notes are unable to meet their obligations, there is a run upon them for payment, and their notes are rejected by every one.

All banks of circulation are necessarily almost at the same time banks of deposit; but there are in all civilised and commercial countries a good many of the latter class of banks only.

English Banks. — Banking establishments for the issue of notes, and for taking care of people's money, have existed in this country since the latter part of the seventeenth century. The Bank of England was founded in 1694, and has long been the greatest bank of circulation and deposit in the world. From its foundation it has enjoyed several peculiar privileges. The principal of these was conferred upon it in 1708, by an act which prohibited any company from being established for the issue of notes payable on demand in England and Wales with more than six partners. This restriction continued till 1826, when it was abolished, in so far as respects all places more than 65 miles distant from London; but within that distance it still prevails.

In consequence of this regulation, and of the great capital and credit of the Bank of England, its notes have always been held in the highest estimation; and no bank for the issue of promissory notes payable on demand has been established in or near London. In the provinces, however, numerous private banks of issue and deposit have always existed. Since the close of the American war their numbers have been greatly increased; and since the abolition of the restriction on the number of partners, in 1826, many banks have been established, some with very large bodies of proprietors. Except in the case of the Bank of England, all the holders of stock in the other English banks are liable not merely for the amount of their share in the capital stock of the company, but for its whole debts, whatever may be their amount.

From the first establishment of the Bank of England, down to 1797, it had always paid its notes regularly when presented. But in the course of 1796, and the early part of 1797, there was, owing to the prevalence of reports of invasion, a pretty severe run upon the Bank of England, and it was at length apprehended that she might be obliged to make a temporary stoppage. To avert a contingency of this sort an order in council was issued in February, 1797, authorising the bank not to pay her notes in gold; and this order was subsequently confirmed by parliament, and prolonged till after the conclusion of a definitive treaty of peace.

Contrary to what might have been and was anticipated by many, the order referred to did not stop the circulation of Bank of England notes, or diminish the confidence of the public in that establishment. The Report of a Committee of the House of Commons, published soon after the suspension, showed that the bank was not merely possessed of the most ample funds to meet all her engagements, but that she had a surplus stock, after all demands upon her were deducted, of no less 15,513,000*l.* This Report, and the fact that Bank of England notes became *practically a legal tender*, secured their circulation.

The obligation on the issuers of paper to pay their notes on demand is necessary, not only to give them circulation, but to prevent their being issued in excess; for as soon as any considerable over-issue takes place, the currency becomes depreciated as compared with that of other countries, and notes are, in consequence, returned upon the banks for payment, in order to get gold and silver to send abroad where their value is higher; and the banks, to obviate the drain, are obliged to narrow their issues. London being the centre, where the exchanges with other countries are adjusted, the value of its currency determines the state of the exchange; and it also determines the value of the currency of the provinces, there being a constant demand

upon the country banks for gold or bills on London. While the Bank of England was obliged to pay in specie, the value of her notes could not, and in point of fact did not, differ materially from that of gold. But in 1799 or 1800, after the check of cash payments had been removed, they began to be depreciated from excess; and during the last half dozen years of the war their depreciation was carried to such an extent, that the ounce of standard gold, which should be worth only 3*l.* 17*s.* 10½*d.*, was, in 1814, actually worth 5*l.* 4*s.*, being a depreciation of 25⅝ per cent.!

The difficulties which had been thrown during the latter years of the war in the way of importation from abroad, combined with deficient crops at home, caused an extraordinary rise in the price of corn. But no sooner had the northern ports been opened, in the autumn of 1814, than a large importation, accompanied by a heavy fall of prices, began to take place; which was still further increased after the general pacification in 1815. This fall proved ruinous to many farmers who had been large borrowers from the country banks; and in consequence of the losses arising from this and other causes that grew out of the altered situation of the country, a general want of confidence was experienced, and an immense number of country banks became insolvent. There is believed to have been in 1814, 1815, and 1816, a greater destruction of bank paper in this country than had ever previously taken place anywhere else, except, perhaps, at the breaking up of the Mississippi scheme in France. The contraction of the currency, that had been thus violently brought about, raised its value nearly to par; and paved the way for the act of 1819, the 59 G. 3. c. 78., commonly called "Peel's Act," from its being introduced by Sir Robert Peel, which provided for the return to cash payments by the Bank of England at the old standard. These were resumed in 1821.

Much difference of opinion has prevailed as to the policy of this famous act, and this is not a proper place for discussing its merits. We believe, however, that it was a wise as well as a just measure; and that the inconveniences that have been said to result from it have been very greatly exaggerated. The principal objection made to it is, that it raised the value of money, and, consequently, enriched creditors and the holders of funded property at the expense of their debtors and of the public. But supposing this to be true, the measure took no person, or at least should have taken no person, by surprise. It had been declared in numerous acts of parliament that cash payments were to be resumed within 6 months after a definitive treaty of peace. Every loan had been contracted under this condition; and the legislature might as well have declared that it was not bound to pay the interest of the debt, as that it was not bound to pay in coin of the standard weight and purity.

It was impossible, therefore, for the legislature to refuse returning to cash payments; and whatever may have been the influence of that measure at the time is now matter of history, and is beyond the reach of human power to obviate or repair. Supposing that it raised the value of money, that money has been the standard for 16 years. Nineteen out of every twenty of the existing contracts, obligations, and estimates have been entered into and framed with reference to it; so that, whether enhanced or not at the outset, to interfere with it now would not be to repair injustice, but to commit it afresh — it would be to rob and plunder the present race of creditors, on pretence that the individuals who were creditors 16 years ago had gained an undue advantage!

But we take leave to deny that the return to cash payments made any sensible addition to the value of money. If we ask where are the proofs of its having done so, we are referred to the fall that has since taken place in the prices of most articles. But this is plainly no proof at all. Prices may, no doubt, be reduced by a rise in the value of money; but they may also be

reduced by a decline in the cost of production; and, so far as we can discover, we incline to think that this has been the sole cause of the entire fall that has taken place since the resumption of cash payments. The advocates of the opposite opinion have never been able, though often called upon, to specify a single article, either of domestic or foreign growth or manufacture, that has fallen in price since 1819, the fall of which may not be satisfactorily and completely accounted for by circumstances peculiar to its production or supply, or both, independently altogether of variations in the value of money. We believe there is no such article. The fall that has taken place in agricultural and in colonial products, in manufactured goods, &c., is entirely ascribable to improved and cheaper methods of production; to the abolition of monopolies, the reduction of taxes, the opening of new and more abundant sources of supply, or to some such cause. Not a tittle of evidence has been, or we apprehend can be, brought to show that the fall of prices has been owing, even in a solitary instance or in any degree, to a rise in the value of money. This is an opinion for which there seems to be no real foundation whatever — a phantom conjured up, that a wholesale robbery of public and private creditors might be perpetrated under cover of the speculation and alarm caused by its appearance.

A peculiar combination of circumstances, to which it is unnecessary more particularly to allude, produced in 1824, four years after the resumption of cash payments by the Bank of England, an extraordinary rage for speculative projects, and a great over-issue on the part of the country banks. This excess having affected the exchanges, and led to a heavy drain for bullion on the Bank of England, the currency of the metropolis became, in 1825, more valuable than that of the provinces, and a demand for gold began, in consequence, to be experienced by the country banks; some of the weakest or worst managed of which having failed, produced a panic and a general run on the others, that in the short space of about 6 weeks occasioned the bankruptcy of from 70 to 80 of these establishments, and overspread the whole country with misery and distress.

These occurrences at length convinced parliament and the public of what they ought to have been satisfied of long before, that it was indispensable to strengthen the basis of the country banking system in England. In this view the act alluded to above, limiting the number of partners in banks for the issue of notes, was repealed, except within the already specified circle of 65 miles round London. After the restriction on cash payments, in 1797, the Bank of England began, for the first time, to issue 1*l.* notes, in which she was immediately followed by the greater number of the country banks. The former had withdrawn her 1*l.* notes after the resumption of specie payments; but those of the country banks still continued to circulate, and formed one of the easiest and most profitable of the channels by which they found their way into the pockets of the public. But, in 1826, their circulation after a certain specified date was prohibited; and since 1829, no notes payable on demand for less than 5*l.* have been allowed to be issued in England and Wales.

But though these measures have certainly increased the stability of the country banks, they are very far indeed from having done all that is required to accomplish that desirable end. There is, in fact, but one measure that can give the public that guarantee to which they are entitled in dealing with country banks, and that is to compel them to give *security for their issues*. Nothing short of this will do. Women, minors, and individuals of all descriptions, who from their situation in life are nowise qualified to judge of the stability of different banking companies, are dealers in money; and, in point of fact, it is found that the notes of the most worthless banks always obtain some circulation, and generally, indeed, find their way into the pockets of those who are least able to bear the loss when

the fraud is discovered. Government is bound to interfere to protect its subjects from such losses, and to make sure that all notes intended to serve as money, be they issued by one individual or by many, shall be paid when presented.

The Bank of England has lent above 11,000,000*l.* to government, which is a security for her notes; and every farthing of this immense sum must be sacrificed before the public can sustain any loss by them. Why should other establishments of which the public know nothing, and which experience has shown are little entitled to confidence, meet with more favourable treatment than the Bank of England?

In 1833 the charter of the Bank of England was prolonged till 1854. Previously to that year, the notes of the country banks were made payable in gold; but it was then enacted that they might be paid either in gold or in Bank of England notes. In fact, Bank of England notes are now legal tender every where except at the bank and her branches.

The Bank of England is the government bank, transacting for it all the banking business of the nation, receiving the produce of the taxes, loans, &c., and paying the interest of the public debt, the drafts of the Treasury and other public departments, transferring stock, &c. For this the bank receives, exclusive of the use of the balances of public money in her hands, about 130,000*l.* a year.

The Bank of England sends in weekly accounts of the cash and bullion in her coffers, and of the amount of the circulation and deposits, monthly abstracts of which are published in the Gazette. Quarterly returns of the issues of the country banks are now also required, and the results published.

The Bank of England, and the private banks of the metropolis, do not give interest on deposits; but it is generally given by the banks in other parts of the country. It would be a great public advantage could the Bank of England accept, with safety to herself, of small sums, or of sums of 50*l.* and upwards, and give interest upon them. The issues of the Bank of England are chiefly made in advances to government upon the security of exchequer bills, &c.; but, in periods of distress, or when credit is shaken, she has frequently advanced very large sums to the merchants. She discounts no bills of above three months' date.

Scotch Banks. — The act of 1708, limiting the number of partners in English banks to six, did not extend to Scotland; and most of the banks that have been established in that country have numerous bodies of partners. The Bank of Scotland was founded in 1695, and the Royal Bank in 1727, since which time about 30 other establishments have been formed for the issue of notes. Owing partly to the superior stability derived from their extensive proprietary, but more, perhaps, to the less risk attending the business of banking in Scotland, bankruptcies have been very rare among the Scotch banks. They have long enjoyed the unlimited confidence of the public; and, from their receiving small sums (10*l.*) as deposits, and paying interest upon them at about 1 per cent. below the market rate, they have contributed much to diffuse a spirit of economy, and to increase accumulation. One-pound notes were issued by the Bank of Scotland in 1704; and their issue has been thence continued to the present day, the act prohibiting their circulation in England not having extended to Scotland. For many years past very little gold coin has been seen in Scotland. The Scotch banks make their advances partly by discount of bills, and partly by what are termed cash accounts, or cash credits. The latter is a very convenient method of issue. A cash account is a credit given by a bank to an individual for a certain sum, which he may draw out wholly or partially as he pleases, replacing it in the same way, being charged interest only on the portion he withdraws. The Scotch banks draw on London at 20 days' date.

Irish Banks. — The Bank of Ireland was established in 1783, and the same restriction as to the number of partners in other banks that formerly prevailed in England was enacted in its favour. Owing to that and other causes the bankruptcies of private banks have been more frequent in Ireland than in England. In 1821 this restriction was repealed, as respects all parts of the country more than 50 Irish miles from Dublin. Since that period several banking companies, with large bodies of partners, have been set on foot in different parts of the country: of these, the Provincial Bank, founded on the Scotch model, is among the most flourishing. The charter of the Bank of Ireland expires in 1838. The Irish as well as the Scotch banks issue notes for 1*l.*

Statement of the Affairs of the Bank of England, February 29. 1832.

Dr.			Cr.		
To bank notes outstanding		£ 18,051,710	By advances on government securities, viz. —		
To public deposits, viz. —			Exchequer bills on the growing produce of the consolidated fund in the quarter ending		
Drawing accounts	2,034,790		5th April 1832	3,425,240	
Balance of audit roll	550,530		5th of July 1832	697,000	
Life annuities unpaid	85,030	3,198,720	Exchequer bills on supplies 1825	7,600	£ 4,134,940
Annuities for terms of years unpaid	58,360		Ditto for 10,500,000*l.* for 1825	2,000	
Exchequer bills deposited	490,000		By the advances to the trustees appointed by the act 3 Geo. 4. c. 51. towards the purchase of an annuity of 585,740*l.* for 44 years, from 5th of April 1823		10,897,850
To private deposits, viz. —			By other creditors, viz. —		
Drawing accounts	5,683,570		Exchequer bills purchased	2,700,000	
Various other debts	54,560	5,738,130	Stock purchased	764,600	
To the Bank of England for the capital		14,553,000	City bonds	500,000	
To balance of surplus in favour of the Bank of England		2,637,760	Bills and notes discounted	2,951,270	
			Loans on mortgages	1,452,100	9,166,860
			London Dock Company	227,500	
			Advances on security of various articles	570,690	
			By cash and bullion		5,295,150
			By the permanent debt due from government		14,636,300
		£ 44,179,630			£ 44,179,630
			Rest, or surplus brought down		2,637,760
			Bank capital due to proprietors		14,553,000
					£ 17,190,760

Account of the Amount of the Notes of the Bank of England in Circulation; of the Deposits in the Hands of the Bank, of all Securities held by the Bank, of Bullion in her Coffers, and of the Rest or Surplus Capital of the Bank, on the last Day of February in each of the following Years.

Years.	Notes in Circulation.	Deposits.	Public Securities.	Private Securities.	Bullion.	Rest, or Surplus Capital
1778	7,440,330	4,662,150	7,898,492	3,322,228	2,010,690	1,128,730
1779	9,012,610	4,358,160	8,862,242	2,075,668	3,711,150	1,276,790
1780	8,410,790	4,723,890	9,145,659	1,756,371	3,381,050	1,347,410
1781	7,092,450	5,796,530	8,640,073	2,546,067	2,479,990	1,576,900
1782	8,028,880	6,139,300	10,546,035	3,448,015	2,157,860	1,792,750
1783	7,675,090	4,465,000	10,016,349	2,779,431	1,321,190	1,976,880
1784	6,802,760	3,903,920	7,789,291	3,529,929	855,840	2,165,380
1785	6,923,090	6,669,160	7,198,564	4,973,926	2,740,320	2,321,060
1786	7,581,960	6,151,660	6,836,459	3,516,781	3,979,020	2,588,710
1787	8,389,540	6,902,080	7,642,587	3,716,465	4,626,690	2,755,830
1788	9,561,120	6,177,950	7,833,257	4,050,653	5,745,440	2,869,780
1789	9,507,210	5,537,370	8,219,582	2,711,108	7,225,750	2,844,440
1790	10,040,540	6,225,270	8,347,387	1,984,733	8,633,000	2,701,310
1791	11,459,200	6,364,550	10,389,558	2,222,282	7,869,410	2,668,300
1792	11,307,380	5,523,370	9,958,799	3,129,761	6,468,060	2,705,870
1793	11,388,910	5,546,460	9,540,209	4,656,011	4,010,650	2,750,570
1794	16,744,020	7,891,510	9,950,756	4,573,794	6,987,110	2,875,830
1795	14,017,910	5,973,020	15,161,172	3,647,168	6,127,720	2,918,530
1796	10,729,500	4,702,360	12,951,812	4,188,028	2,529,630	3,247,390
1797	9,674,780	4,391,550	11,714,131	5,123,319	1,056,170	3,357,610
1798	13,095,830	6,148,900	14,241,333	5,558,167	5,828,940	3,383,710
1799	12,959,800	8,131,920	11,510,677	5,528,353	7,565,900	3,511,310
1800	16,811,470	7,062,650	13,975,665	7,448,357	6,144,250	3,561,150
1801	16,213,280	10,745,310	15,056,011	10,166,719	4,640,120	4,105,730
1802	15,186,580	6,858,210	14,199,094	7,760,726	4,152,950	4,067,680
1803	16,319,930	8,890,740	9,417,587	14,497,013	3,776,750	4,321,480
1804	17,077,430	8,676,850	14,654,686	12,314,284	3,372,140	4,616,450
1805	17,871,170	12,083,620	16,389,501	11,771,389	5,883,800	4,590,400
1806	17,730,120	9,930,790	14,813,599	13,277,471	5,987,190	4,567,350
1807	16,950,660	11,829,320	13,452,571	15,955,589	6,142,840	4,771,300
1808	16,188,860	11,961,960	14,149,501	13,234,579	7,855,470	5,038,730
1809	18,542,860	9,982,950	14,745,426	14,574,775	4,488,700	5,081,090

Amount of Notes, &c. — *continued.*

Years.	Notes in Circulation.	Deposits.	Public Securities.	Private Securities.	Bullion.	Rest, or Surplus Capital.
1810	21,019,600	12,457,310	11,322,631	21,055,946	3,501,410	5,403,080
1811	23,360,220	11,445,650	17,201,800	19,9?0,550	3,3?0,910	5,667,420
1812	23,408,320	11,595,200	22,127,253	15,899,037	2,985,190	6,005,960
1813	23,210,930	14,268,180	25,036,026	12,894,324	2,881,200	6,336,740
1814	24,800,080	12,455,460	23,630,317	18,359,593	2,201,430	6,937,300
1815	27,261,650	11,702,250	27,514,804	17,015,696	2,036,910	7,631,510
1816	27,015,620	12,388,890	19,425,880	23,975,550	4,610,880	8,639,680
1817	27,397,200	10,325,610	25,538,808	8,739,822	9,680,970	5,736,690
1818	27,770,970	7,997,550	26,915,360	3,991,970	10,055,460	5,192,270
18.9	25,146,700	6,413,370	22,355,115	9,099,885	4,184,620	4 099,550
1820	23,484,110	4, 93,550	21,715,168	4,472,322	4,911,050	3,520,850
1821	23,884,920	5,622,890	16,010,990	4,785,280	11,869,000	3,158,360
1822	18,665,550	4,689,940	12,478,133	3,491,937	11,057,150	3,674,940
1823	18,?92,240	7,181,100	13,458,829	4,6 0,901	10,384,250	3,130,620
1824	19,736,990	10,097,850	11,341,727	4,530,873	13,810,050	2 847,220
1825	20,753,760	10,168,780	19,147,588	5,503,742	8,779,100	2,607,890
1826	25,467,910	6,935,940	20,575,258	12,345,322	2,459,510	2,974,240
1827	21,890,610	3,901,660	18,685,015	4,844,515	10,139,020	2,996,250
1828	21,950,710	5,198,140	19,818,777	3,762,493	10,347,290	2,749,710
1829	19,870,850	9,555,960	19,736,665	5,648,0?5	6,835,020	2,794,960
1830	20,050,730	10,765,150	20,038,890	4,165,500	9,171,000	2,561,510
183?	19,600,140	11,?13,530	19,927,572	5,281,108	8,217,050	2,612,360
1832	18,051,210	8,937,170	18,197,448	5,836,042	5,295,150	2,637,710

Account of the Amount of Bank of England Notes and Bank Post Bills in Circulation on the undermentioned Days; distinguishing the Bank Post Bills, with the Aggregate of the whole.

	Bank Notes.	Bank Post Bills.	Total.
1834. February 26.	17,391,600	1,535,850	18,927,450
August 26.	17,862,570	1,392,740	19,255,310
1835. February 26.	17,036,720	1,475,860	18,512,580
August 26.	16,912,910	1,273,820	18,186,730

Quarterly Average of the Weekly Liabilities and Assets of the Bank of England, from June 30th, to Sept. 22d, 1835, published pursuant to Act 3 & 4 Will. 4. c. 98. § 8.

Liabilities.	£	Assets.	£
Circulation	18,240,000	Securities	27,888,000
Deposits	13,230,000	Bullion	6,261,000
	31,470,000		34,149,000
Rest - £2,679,000.			

Bank of Ireland. — Return of the Amount of the Notes of the Bank of Ireland (including Bank Post Bills) in Circulation at the undermentioned Periods. — (*Parl. Paper*, No. 435. Sess. 1834.)

	£ s. d.		£. s. d.
1832. June 7.	3,975,392 7 5	1834. January 2.	3,990,841 7 6
1833. January 3.	4,245,528 10 11	June 5.	3,791,951 19 4
July 4.	3,790,653 7 7		

Joint Stock Banks. — Account of the aggregate Amount of Notes circulated in England and Wales, by Private Banks, and by Joint Stock Banks, and their Branches, distinguishing Private from Joint Stock Banks, between the 28th of June, 1834, and 26th of September, 1835; stated for each Quarter of the Year, as directed by 3 & 4 Will. 4. c. 83. — (*Parl. Paper*, No. 445. Sess. 1835, &c.)

Quarters ending	Private Banks.	Joint Stock Banks.	Totals.
	£	£	£
27 September 1834.	8,370,423	1,783,689	10,154,112
28 December —	8,537,655	2,122,173	10,659,828
28 March 1835.	8,231,206	2,188,954	10,420,160
27 June —	8,455,114	2,484,687	10,939,801
26 September —	7,912,587	2,508,036	10,420,623

The circulation of notes in Scotland may at present amount to about 4,000,000*l.* In the early part of 1826 it amounted 3,309,082*l.*, of which 2,079,344*l.* were under 5*l.*, and 1,229,538*l.*, 5*l.* and upwards.

2. WEIGHTS AND MEASURES. — The inconvenience attending the use of weights and measures of the same denomination, but of different magnitudes, was early remarked; and there is hardly a country in which efforts have not been made to reduce them to the same uniform system. Numerous acts of parliament have been passed having this object in view, and enjoining the use of the same weights and measures under very severe penalties. But, owing to the inveteracy of ancient customs, and the difficulty of enforcing the new regulations, these statutes have always had a very limited influence, and the greatest diversity has continued to prevail, except in lineal measures. But the statute 5 Geo. 4. cap. 74. seems to have at length effected what former statutes had failed of accomplishing. It is, perhaps, indebted for its success, in this respect, to the limited nature of the changes which it introduced. It made no alteration in the lineal measures previously in use; neither did it affect the previously existing system of weights. The measures of capacity are the only ones which it changed. The wine gallon formerly contained 231 cubic inches, and the ale gallon 282; but these have been both superseded by the imperial gallon, which contains 277¼ cubic inches.

Our ancient historians tell us that a new, or rather a revised, standard of lineal measure was introduced by Henry I., who ordered that the ulna or ancient ell, which corresponds to the modern yard, should be made of the exact length of his own arm, and that the other measures of length should be raised upon it. This standard has been maintained without any sensible variation. In 1742, the Royal Society had a yard made, from a very careful comparison of the standard ells or yards of the reigns of Henry VII. and Elizabeth, kept at the Exchequer. In 1758 an exact copy was made of the Royal Society's yard; and this copy having been examined by a committee of the House of Commons, and reported by them to be equal to the standard yard, it was marked as such. This identical yard is declared by the act 5 Geo. 4. cap. 74. to be the standard of lineal measure in Great Britain; and provision is made in the act for its recovery, in the event of its being lost, by declaring that its length is to that of a pendulum vibrating seconds in the latitude of London as 36 to 39·1393 inches.

1. *Lineal Measure*, deduced from the Standard Yard.

Inches.	Links.	Feet.	Yards.	Pole or Perch.	Chains.	Furlong	Mile.
1							
7·92	1						
12	1·515	1					
36	4·545	3	1				
198	25	16½	5½	1			
792	100	66	22	4	1		
7,920	1,000	660	220	40	10	1	
63,360	8,000	5,280	1,760	320	80	8	1

Among mechanics, the inch is usually divided into eighths; but in scientific investigations it is mostly divided into tenths, hundredths, &c. A degree of the equator contains 69·15 English miles. The English foot = ·3048 metres of France = ·984 feet of Berlin = 1·064 feet of Hamburgh = ·927 feet of Lisbon = ·972 Rhineland feet = ·8727 feet of Russia = 1·078 feet of Spain = ·9638 feet of Vienna, &c.

Superficial Measure, deduced from the Standard Yard.

Inches.	Links.	Feet.	Yards.	Pole or Perch.	Chains.	Rds.	Acr.
62·726	1						
144	2·295	1					
1296	20·661	9	1				
39,204	625	272¼	30¼	1			
627,264	1,000	4,356	484	16	1		
1,568,160	25,000	10,890	1,218	40	2½	1	
6,272,640	100,000	43,560	4,840	160	10	4	1

The Imperial acre is to the Scotch acre as 1 to 1·261, and the Irish, or plantation, acre contains 1 acre 2 roods and $19\frac{21}{121}$ poles; hence $30\frac{1}{4}$ Irish are equal to 49 Imperial acres, or the Imperial acre is to the Irish acre as 1 to 1·62. One Imperial acre = ·4046 hectares of France = 1·561 morgen of Prussia = ·7025 Joch of Austria, &c.

2. *Measures of Capacity. — Imperial Liquid and Dry Measure*, deduced from the Standard Gallon, containing 10 lbs. Weight of Distilled Water, at the temperature of 62°, Barometer 30 Inches.

Weight of Water.	Cubic Feet.	Cubic Inches.	Gills.	Pints.	Quarts.	Pottles.	Gallons.	Pecks.	Bushels.	Cooms.	Quarter.
5 oz.		8·665	1								
lbs. 1¼		35·659	4	1							
2½		69·318	8	2	1						
5		138·637	16	4	2	1					
10		277·274	32	8	4	2	1				
20		554·548	64	16	8	4	2	1			
80	1·2837	2218·191	256	64	32	16	8	4	1		
320	5·1347	8872·763	1024	256	128	64	32	16	4	1	
640	10·2694	17745·526	2048	512	256	128	64	32	8	2	1

The old wine gallon contained 231, and the old ale gallon 282, cubic inches. The dimensions of the Imperial bushel are — the outer diameter 19½ inches, the inner diameter 18½ inches, and the depth 8¼ inches. The Winchester bushel, which used to be the most common measure for corn in England, contained 2,150·42 cubic inches, being about $\frac{1}{32}$ part less than the Imperial bushel. The quarter of 8 bushels standard measure = 2·907 hectolitres of France = 5·29 bushels of Berlin = 2·76 bushels of Hamburgh = 4·728 metzen of Vienna = 1·45 chetwerts of Russia, &c.

3. *Measures of Weight.* — *Troy Weight,* deduced from the Standard Troy Pound of 5,760 grains.

Troy Grains.	Dwts.	Ounces.	Pound.
24	1		
480	20	1	
5,760	240	12	1

Gold, silver, platina, jewels, &c. are weighed by troy weight. It is likewise used in ascertaining the strength of spirituous liquors, and other philosophical experiments, and for comparing different weights with each other.

The pound troy = 373·202 grammes of France = ·755 lbs. of Amsterdam = 1·597 marcs of Berlin = ·77 lbs. of Hamburgh = ·3732 kilogrammes (French) = ·9116 lbs. of Russia = 1·622 marcs of Spain = 1·33 marcs of Vienna, &c.

A carat is a weight of 4 troy grains. When this term is applied to gold, it denotes its degree of fineness. Any quantity of gold is supposed to be divided into 24 parts or carats: if the whole mass be pure, it is said to be 24 carats fine; if there be 23 parts of pure metal and 1 part of alloy, it is called gold of 23 carats fine; and so on.

Diamond Weight.

Diamonds and pearls are also weighed by carats of 4 grains; but 5 diamond grains are only equal to 4 troy grains. This weight is nearly the same all over the globe, — 1 oz. troy is equal to 150 diamond carats.

Apothecaries' Weight.

20 troy grains	=	1 scruple.
3 scruples	=	1 dram.
8 drams	=	1 ounce.
12 ounces	=	1 pound, 5,760 troy grains.

The apothecaries' pound and ounce are the same as the troy pound and ounce, but the smaller divisions are different. This weight is used in medical prescriptions only.

Apothecaries' Fluid Measure.

1 fluid minim	=	-	0·0037 cub. inch.
60 fluid minims	=	1 fluid dram,	0·2256 —
8 fluid drams	=	1 fluid ounce,	1·8047 —
16 fluid ounces	=	1 fluid pint,	28·8750 —
8 fluid pints	=	1 gallon,	231·0000 —

Avoirdupois Weight,

Deduced from the Imperial Standard Pound of 7,000 Troy Grains.

Troy Grains.	Drams.	Ounces.	Pounds.	Stones.	Quarters.	Hundred Weights.	Ton.
27·34375	1						
437·5	16	1					
7,000	256	16	1				
98,000	3,584	224	14	1			
196,000	7,168	448	28	2	1		
784,000	28,627	1,792	112	8	4	1	
15,680,000	573,440	35,840	2,240	160	80	20	1

The statute 5 & 6 Will. 4. cap. 63. enacts, that all articles sold by weight are to be sold by avoirdupois weight, except gold, silver, platina, diamonds, or other precious stones, which may be sold by troy weight; and drugs, which, *when sold by retail*, may be sold by apothecaries' weight. The stone is in *all* cases to consist of 14 lbs. avoirdupois, the cwt. of 8 such stones, and the ton of 20 such cwts.

The pound avoirdupois = 453·544 grammes of France = ·97 lbs. of Berlin = ·908 lbs. of Copenhagen = ·9363 lbs. of Hamburgh = ·50796 kilogrammes (French) = 1·11 lbs. of Russia = ·8097 lbs. of Vienna, &c.

Bread and Flour Weight.

4 lbs. 5½	ounces avoirdupois	=	1 quarter loaf.
8 lbs. 11	ounces ditto	=	1 half peck ditto.
17 lbs 6	ounces ditto	=	1 peck loaf.

Note. — A peck of flour is 14 lbs.; a bushel of flour is 56 lbs.; a boll 140 lbs. A sack, or 3 bushels, is 280 lbs., or 2½ cwt. avoirdupois.

Hay and Straw Weight.

36 lbs.	avoirdupois of straw	=	1 truss.
56 lbs.	ditto of old hay	=	1 truss.
60 lbs.	ditto of new	=	1 truss.
36 trusses		=	1 load.

Hence a load of straw weighs 11¼ cwt.; a load of old hay 18 cwt.; a load of new hay 19½ cwt. avoirdupois.

By act 36 Geo. 3. cap. 88., each truss of hay, sold between 31st of August in any year and 1st of June in the succeeding year, must weigh 56 lbs.; and every truss of hay sold between 1st of June and 31st of August, being new hay of the summer's grass of that year, shall weigh 60 lbs. But by the act 5 & 6 Will. 4. cap. 63. all local and customary measures are abolished.

Wool Weight.

7 lbs. avoirdupois	=	1 clove.	6½ tods	=	1 wey.
14 lbs. or 2 cloves	=	1 stone.	2 weys	=	1 sack.
2 stones	=	1 tod.	12 sacks	=	1 last.

A pack of wool is 12 score, or 240 lbs. avoirdupois. In Gloucestershire, 15 lbs. made a stone of wool; while in Hertfordshire the stone was only 12 lbs.; but, as already stated, these local weights are now abolished.

3. ROADS. — Highways of one sort or another must, of course, exist in every country emerged from barbarism; but in England, the statute 2 & 3 Philip and Mary, c. 8., is the first legislative enactment in which a regular provision was made for the repair of the roads. At common law every parish was bound to keep the roads that intersect it in good serviceable condition. But until the epoch now mentioned, this duty, not being devolved upon any particular person, was very much neglected. The preamble to the act of Philip and Mary declares, that the roads were tedious and noisome to travel on, and dangerous to passengers and carriages; and, therefore, it enacts that in every parish two surveyors of the highways shall be annually chosen by the inhabitants in vestry assembled, and that the inhabitants of all parishes shall be obliged, according to their respective ability, to provide labourers, carriages, tools, &c., for *four* days each year, to work upon the roads under the orders of the surveyors. This system, though in many respects very defective, was justly regarded at the time as a very great improvement. The great lines of road have, indeed, been long exempted from its operation; but the construction, repair, and police of the cross or parish roads through England continue to this day to be regulated on the principles laid down in the above act.

The plan of making and repairing roads by contributions of forced labour, though established in most other European countries as well as England, is,

in all respects, one of the worst that can be imagined. Its defects were long since perceived, and individuals subject to such contribution were allowed to compound with the surveyors on payment of certain rates. This system is now, however, wholly abandoned. In 1835 the laws relating to cross or parish roads in England were consolidated by the statute 5 & 6 Will. 4. c. 50. This act authorises the surveyor, appointed by the vestry, to levy a rate on the parish, on the basis of the assessment for the poor; and it further authorises the rate-payers, if a majority of them shall see fit, to divide among themselves the carriage of the materials for the repair of the roads, being paid for such work at the discretion of the justices. Hence, the rate-payers who now engage to work upon the roads are as much voluntary contractors as if they belonged to another part of the country, and had nothing to do with the assessment. The surveyors are elected for a year, and may either be paid or not. A number of parishes may unite and appoint a district surveyor; and in populous parishes, or those having more than 5,000 inhabitants, a board may be appointed for the superintendence and repair of the highways. Every highway leading to any market town must be 20 feet wide at least; and every public horseway 8 feet at least. The justices may, at the expense of the parish or district, increase the width of any highway they reckon too narrow, to the breadth of 30 feet, but not more. Directions are also given for the setting up of sign-posts, milestones, &c.

This system has some good and some defective points. It is reasonable to suppose, inasmuch as the surveyor is appointed by the vestry, or principal inhabitants in a parish, by whom also the rate for the construction and repair of the roads must be principally paid, that they will be anxious to select the best individual, to proscribe every useless expense, without, at the same time, allowing the roads to get into a bad state. On the other hand, however, the business of road-making requires considerable scientific skill and practical experience; and the roads of one parish ought to be so combined with those of others as to form part of a consentaneous system. But the parochial surveyors are mostly very deficient in the knowledge of their business, of the principles of which they, in general, know nothing; and, from the want of any combined system, the roads in one parish are frequently very good, while those uniting with them, in the adjoining parishes, may be very bad. It is easier, however, to point out defects than to suggest any efficient remedy. Perhaps the best thing that could be done would be, to provide for the uniting of parishes into districts of considerable extent; and to restrict the choice of surveyors to persons who had been found qualified, upon examination by competent authority, to undertake the duty.

The system established by the act of Philip and Mary was improved and consolidated by acts passed in the reigns of Elizabeth and James I., and for a time answered pretty well. But the great increase of wealth and population that took place during the reigns of James I. and of Charles I. and II. having led to a great increase of travelling, and the employment of many pack-horses, wheel-carriages, &c., the old system was found to be quite inadequate for the keeping up and repair of the great roads, particularly in the vicinity of London. In consequence, a new plan for raising a revenue for the construction and repair of the roads, by imposing tolls, payable at toll-gates (called turnpikes), was introduced by the act of 26 Charles 2. c. 1., which imposed tolls on all travellers by the Great Northern Road passing through Hertfordshire, Cambridgeshire, and Huntingdonshire. This system, however, was for a lengthened period exceedingly unpopular; and it was not till after the peace of Paris in 1763 that turnpike roads began to be extended to all parts of the kingdom; and that the means of internal communication began, in consequence, to be signally improved. The turnpike roads of England and Wales extend, at present, to the distance of above 23,000 miles!

The usual method in constructing a turnpike road is to place it, if it be only for a short distance, under the management of a set of trustees; but if its length be considerable, it is usually placed under the management of various sets of trustees, each set being intrusted with the care of a certain portion. The trustees are appointed by act of parliament; and in general consist, not merely of the proprietors of the estates through and contiguous to which the road passes, but also of the principal farmers and most opulent tradesmen in the vicinity. All details, with respect to the construction and repair of turnpike roads, are committed to the care of surveyors, appointed by and acting under the orders of the trustees.

The trustees may borrow money on security of the tolls and other revenues under their control. By this means they are enabled to complete, without delay, an undertaking that it might otherwise be impossible to accomplish for many years. This expedient is, in consequence, often resorted to. Most trusts are, indeed, largely indebted. Exclusive of a large amount of floating debt, the debt secured by mortgage of tolls, &c. on the turnpike roads of England amounted, in 1829, to 5,578,815*l.*!

This system has some very obvious defects. The trustees are too numerous, and seldom act on any well-considered systematic principle: they too often appoint incompetent surveyors; their accounts are not subjected to any examination, nor do they act under any sufficient responsibility; and, owing to the number of trusts on the same road, it is frequently, in different parts, in a very different state of repair. Sir Henry Parnell has suggested means for obviating these defects. Of these, the principal seem to be the obliging of the trustees to select by ballot a small committee from among themselves, to whom the management of the revenue and all that belongs to the trust, including the appointment and dismissal of surveyors, should be committed. Sir Henry farther suggests that all sets of trustees should be obliged to forward statements of their accounts and proceedings to the Commissioners of Land Revenue, who should be authorised to appoint engineers to examine into the state of the roads, and in some degree to control the management of the different trusts. The carrying of some such suggestions into effect would, no doubt, be in various respects an improvement on the existing system. But we should, notwithstanding, be extremely jealous of any plan that tended to bring the management of the turnpike roads under the control of any single board. Such a plan would most likely lead to the improvement of the great lines of road, and we should not object to its being applied to them. But if *all* turnpike roads were subjected to such control, it is abundantly certain that the same thing that has happened in France would happen here; that is, that a few great roads would be kept in good order, while the other roads, though of hardly less importance, would be comparatively neglected.

State of the Roads. — Though vastly improved, as compared with their condition about the middle of last century, when, indeed, they were in various places all but impracticable for wheeled carriages, many of the turnpike roads continued down to a very late period to be, and some are still, in a very bad state. Recently, however, they have been much improved; and a few have been constructed on the most approved principles. The road from London to Holyhead is one of these, and is, without doubt, the best in the kingdom. It was not formed under the superintendence of road trustees, but of parliamentary commissioners, appointed for the purpose, who employed Mr. Telford as their engineer. But, with this and a few other exceptions, most of the existing roads are far from being in the state that might be expected, and in which, indeed, they ought to be. The principal defect consists in their unevenness, for, instead of being carried round, they are, even where the distance saved is nothing or but inconsiderable, mostly carried over hills. Besides this defect, "the breadth of a road is seldom defined to a regular

number of feet, by straight and regular boundaries, such as fences, foot-paths, mounds of earth, or side channels. The transverse section of the surface when measured is rarely to be found of a regular convexity. The surface of all the roads, until within a few years, was every where cut into deep ruts; and even now, since more attention has been paid to road works, though the surface is smoother, the bed of materials which forms it is universally so thin, that it is weak and, consequently, exceedingly imperfect. Drainage is neglected; high hedges and trees are allowed to intercept the action of the sun and wind in drying the roads; and many roads, by constantly carrying away the mud from them for a number of years, have been sunk below the level of the adjoining fields, so that they are always wet and damp, and extremely expensive to keep in order, owing to the rapid decay of the materials laid upon them."*

The following rules for the construction of roads have been deduced from the treatise, now referred to, of Sir Henry Parnell, on roads, admitted on all hands to be the most complete and able work hitherto published on this important department of national economy:—1st, Where practicable, an even line should be always selected; and, where it is departed from, the acclivity should not, if possible, exceed 1 foot in 35 or 40. 2dly, The road should be made of a regular uniform width, and properly fenced off. 3dly, A road which is likely to be much used, particularly by heavy carriages, should always be constructed with a foundation or bottoming of large stones, laid in the form of a pavement, over which should be spread a thick covering of stones, broken small. 4thly, The surface of the roads should be uniform, smooth, and convex. And 5thly, The road should be raised above the level of the surrounding ground, and kept thoroughly dry by proper drains, having sufficient outlets for their water.

1. Summary Statements as to the Turnpike Roads, and other Highways, of England and Wales in 1812, 1813, and 1814. — (*Parl. Paper*, No. 431. Sess. 1818.)

	1812.	1813.	1814.
	M. F. F. Y.	M. F. F. Y.	M. F. F. Y.
Length of the public highways used for wheeled carriages:—			
Length of paved streets and turnpikes	19,728 1 29 5	19,746 3 37 4	19,791 4 25 4½
Length of all other highways	95,083 2 37 1	95,104 4 11 2	95,145 7 9 2½†
Total length of the public highways - 114,864 miles.			
Estimated value of labour performed in kind	L. s. d. 515,508 4 10½	L. s. d. 539,521 10 4¼	L. s. d. 551,241 5 4 ‡
Amount of composition money paid for labour	271,512 9 10½	276,947 5 11	287,059 0 5¾
Amount of rates levied	570,753 18 1½	613,604 2 0¾	621,804 12 3¾
Amount of money expended in law and other expenses, occasioned by presentments	21,499 1 4¾	26,252 14 4½	25,700 3 0½
Total expenditure in labour and money	1,345,674 4 0	1,414,350 4 10½	1,454,503 9 10½

2. Summary Statements as to the Turnpike Roads of England and Wales in 1829. — (*Parl. Paper*, No. 703. Sess. 1833.)

Length of turnpike roads	miles 19,798
Number of turnpike trusts	1,119
Acts of parliament passed	3,783
Toll gates	4,871
Debts	£ 7,304,803
Income in 1829.	
Income from tolls	£ 1,309,014
—— parish compositions received	139,915
—— fines	288
—— incidental causes	38,618
Rents of toll gates and parish compositions due, but unpaid — Tolls	39,542
Rents of toll gates and parish compositions due, but unpaid — Parish compositions	7,884
Total income for the year	£ 1,455,291

* *Treatise on Roads*, by Sir Henry Parnell, Bart. M. P., p. 27.

† It is probable, though we are not quite certain of the fact, that these are computed, not actually measured, lengths. They cannot, however, differ materially from the true measurement.

‡ This was mostly expended on the cross or parish roads.

Statement of Roads in England and Wales — *continued.*

Expenditure in 1829.	
Interest paid on mortgage debt	£ 236,629
Manual labour	303,173
Team labour, improvements, materials, and contracts	578,257
Land purchased, or damages paid for in getting materials	50,203
Repairs to toll houses, gates, &c.	67,508
Salaries to clerks, surveyors, law bills, printing, advertising, stationery, and incidental charges	196,025
Payments comprising part of the debts or accounts of former years, &c. (as deducted from the accounts delivered to the clerk of the peace)	213,767
The gross expenditure for the year 1829, as delivered to the clerk of the peace by the clerks of the roads	1,678,064
Interest not brought into charge in the accounts delivered to the clerk of the peace, but included in the current expenditure	65,271
The nett current expenditure of the several turnpike road trusts for the year 1829	1,499,568
Expenditure above income	41,277

Scotch Roads.—The principal roads in Scotland are turnpike roads, and the acts in relation to them are similar to those of England; "but in consequence of the excellent materials which abound in all parts of Scotland, and of the greater skill and science of Scotch trustees and surveyors, they are superior to the turnpike roads of England." — (*Parnell*, p. 313.)

The provision for repairing roads and bridges in Scotland originally consisted, as in England, of the compulsory or statute labour of the inhabitants, with their horses, carts, &c., for three days before and three days after harvest. And in the reign of George I. it was enacted (5 G. 1. c. 30.), that in the event of the statute labour not being sufficient for the repair of the highways, an assessment, not exceeding ½ per cent. on the valued rent, might be imposed on landed property to make up the deficiency. The administration of all highways that are not turnpike roads, or included under the modern county acts, is committed, by the old law of Scotland, to the justices of the peace and the commissioners of supply — that is, to the justices and the proprietors of lands worth 100*l.* Scotch, and upwards, of valued rent. Two general meetings of these justices and commissioners are held yearly in each county, for the regulation of all matters concerning the highways. The meetings are empowered "to set down a particular list of highways, bridges, and ferries within their bounds, and to divide the parishes of the said bounds, as they lie nearest to the several highways to be repaired, and as they may have the most equal burdens; and to appoint such of their number, or others, overseers of such parts and portions of the said highways as are most convenient and nearest to their ordinary residence; and to nominate such of their number as they see fit to survey and give an account of the highways, bridges, and ferries, unto the rest; with powers to them to appoint meetings, from time to time, till the survey, list, and division of the said highways be closed." — (*Act*, 1669, *c.* 10.)

But since 1750 this system has been much modified. At that period, the roads of Scotland were in the most wretched state imaginable, being, in fact, in most places, mere horse-paths, and these practicable only at certain seasons of the year. After the country began to improve, and wealth to increase, the necessity of adopting some more efficient system for the repair of the roads became obvious. In consequence, acts of parliament were obtained, authorising the formation of the turnpike roads, and regulating the amount of toll to be charged on those using them.* Since then, also, most of the Scotch counties have obtained local acts, by which the statute labour is commuted for a fixed money payment, and power is given to impose assessments on landed property; but the rates of commutation, and the maximum of assessment, differ in different counties. By these acts the administration of all matters relating to the roads is vested in trustees. The

* The first of these acts, the 23 G. 2. c. 17., was passed in 1750. It was for the repair of the great post road from Douglas Bridge to the town of Haddington, and thence to Ravenshaugh Burn, in the county of Haddington.

sheriff's depute and substitute, and all persons in the commission of the peace, are appointed trustees: with all individuals, and their eldest sons, being owners of estates worth 100*l.* Scotch a year, and upwards, of valued rent; one guardian or trustee of all minors possessing such property; and the provost and the two eldest baillies of every burgh. The act usually divides the county into districts; the trustees residing in each district being appointed to manage the roads contained in it.

The district trustees, at their meetings, prepare statements and estimates, which are laid before the general meeting of the trustees of the county.

The latter have power to order an assessment to be made on the occupiers of lands, not exceeding the amount prescribed in the act.

The proceedings of the trustees of the districts, at their meetings, are subject to the direction, revision, and control of the general meetings.

The trustees of the district meetings appoint surveyors of the roads in their districts, with salaries.

Sufficient powers are given to the trustees for obtaining land and materials, and for making, widening, and repairing roads, and building bridges.

According to Sir Henry Parnell, this system of managing the highways has the following advantages over the English system of parish management: —

" 1st. A more efficient governing authority is provided.

" 2dly. The obstacle to a uniform and efficient management of the roads, which the small divisions of parishes occasion, is obviated, by giving the general management of all the roads of a county to the general meetings of the trustees.

" 3dly. The funds for maintaining the roads are derived from a regular assessment on the lands, instead of by statute labour.

" 4thly. The surveyors are appointed permanently, and with fixed salaries.

" The experience of the manner in which the new Scotch system has worked fully establishes its great superiority over the old Scotch system, which still exists in some counties, and over the English parish system; and leads to the conclusion that it is expedient to make it universal in Scotland, and substitute it in England instead of the English system." — (P. 315.)

It is not easy, indeed, for those unacquainted with the country to imagine the extraordinary improvement that has been effected in the roads of Scotland within the last half century. Many of them have been planned with great skill; and, notwithstanding the comparatively rugged, uneven surface of the country, they are, for the most part, more level than the English roads. It is not going too far to say, that, from being about the very worst, the roads of Scotland have become about the very best of any in the world.

Highland Roads. — Besides the roads constructed in Scotland under the system now described, a large extent of excellent road has been formed, either wholly or partly, at the public expense, and under a different system of supervision. During the rebellion of 1715 the royal troops were unable, from the want of roads and the impracticable nature of the country, to advance beyond Blair in Athol; and, to obviate this inconvenience in future, government soon after began to employ part of the troops quartered in Scotland in the construction of military roads in different parts of the Highlands, which, when finished, extended in all to about 800 miles. Unluckily they were not well planned: being for the most part carried, wherever it was practicable, direct from place to place, they were necessarily hilly, and were, also, too narrow. About the commencement of the present century, it became a question whether it was worth while for government to continue to defray the expense of keeping these roads in repair. But, though it was ascertained that they were no longer of any material use as military roads, they were found to be of the greatest importance as affording a means of

communication; and the inquiries then set on foot impressed government with a conviction, that nothing would contribute so much to the improvement of the Highlands as their intersection with good roads. But, this being an undertaking that exceeded the limited means of the proprietors and inhabitants, parliamentary commissioners were appointed, who were authorised to decide upon the roads proper to be constructed, and to superintend their execution; the public agreeing to defray half the cost of such roads, the other half being defrayed by the proprietors, or other persons benefited thereby. The measure has been most successful. "The Highland counties were prompt to the call, in contributing their quota. The whole amount of parliamentary advances, including interest, has been 267,000*l.*, and the county advances 214,000*l.*; they being only liable for half the expense of making the roads, the expense of general management falling on the public. About 60,000*l.* beyond these sums have been defrayed by individuals; so that about 540,000*l.* have been expended upon the Highland parliamentary roads. The length of new roads formed by this joint fund has been 875 miles, and the number of bridges of all kinds 1,117. With the exception of 148 miles in Argyle and Bute, these parliamentary roads lie almost wholly in Inverness-shire and the northern counties." — (*Anderson's Highlands*, p. 60.) The operations were conducted by Mr. Telford; and, though the region which the roads traverse be the most mountainous and rugged in the empire, they have been laid out with so much skill and judgment, that the acclivities are every where moderate.

Since the parliamentary roads were undertaken, a large portion of the old military roads has been allowed to fall into disrepair; but nearly 300 miles of them are still kept up. In 1814 they were placed under the control of the parliamentary commissioners, who have now about 1,200 miles of road under their care. The total charge on account of repairs, &c. amounts to about 10,000*l.* a year.

It would not be easy to enumerate the advantages that have resulted from the construction of these roads. They have done more than anything else that could have been done to promote the improvement of the Highlands. — (Vol. I. p. 311.) The proprietors have made very great exertions to extend the advantages of improved communication to districts removed from the parliamentary roads. In the county of Sutherland only, about 350 miles of road have been constructed, at the expense of the county, since 1810, exclusive of the parliamentary roads.

Summary Statements as to the Turnpike Roads of Scotland in 1829. — (*Parl. Paper*, No. 703. Sess. 1833, p. 176.)

Length of turnpike roads	miles 3,666	Debts	£ 1,[illegible]
Number of turnpike trusts	190	Income from all sources	1[illegible]
Acts of parliament	394	Expenditure	1[illegible]
		Excess of income above expenditure	[illegible]

Irish Roads. — The roads of Ireland are, generally speaking, well laid out, and in a good state of repair. This result is ascribed, by Sir Henry Parnell, to the abolition of the old system of statute labour in 1763, and the placing of the construction and administration of roads under the control of the grand juries. The method of proceeding is as follows: — Any person who wishes to have a new road constructed, presents a memorial to the grand jury at the assizes, with an affidavit of its necessity. A deliberation then takes place upon the subject, and, if the grand jury allow the presentment, the road is either made or repaired, as the case requires: the accounting presentment is sworn to, and must receive the sanction of the judge. Mail coach roads are determined upon by the postmaster-general, and the expense is defrayed by a tax on the county. The money for other roads is

raised by a baronial tax, each barony paying the expense of the roads within its boundaries. — (*Wakefield's Ireland*, vol. i. p. 657.)

Besides the roads constructed under the above regulations, a considerable extent of road has, within these few years, been constructed in different parts of the country, at the public expense, under the superintendence of the Board of Public Works. These roads are said to have been productive of the best effects; but it seems unreasonable that those through whose property they pass, and who are principally benefited by them, should contribute nothing towards the expense of their construction, and of keeping them in repair.

RAIL-ROADS.

Exclusive of the means of communication by the common roads now described, and by canals, rail-roads have lately engaged a large share of the public attention, and will, most likely, be established, at no distant period, between all the great towns of the empire, — where the ground is at all practicable. They are made either of wood or iron; but those only that are made of the latter could be advantageously constructed in this country. The friction on a well-made and *perfectly level* rail-road, having iron rails on which the wheels of the carriages run, is only from one seventh to one tenth part of the friction on one of the best made of the common roads; and as this is the only resistance to be overcome, it is plain that a horse or a locomotive engine will draw from seven to ten times the load on a level railway that it could on a common road. But any deviation from a perfectly level line materially affects this result; for gravity being proportioned to the load, when it is brought into operation by the carriage having to be moved up an inclined plane, its resistance is from seven to ten times greater than upon a common road. Hence it is essential to the success of railways that they should be level, or as nearly so as possible.

Iron rail-roads began to be constructed soon after 1797, in Shropshire, and in various parts of South Wales. But the public did not become fully aware of their vast importance, as means of communication, till after the opening of the railways between Stockton and Darlington, and Manchester and Liverpool, but especially the latter. The length of the Liverpool railway is 31 miles; and the fact that passengers were regularly conveyed that distance, in carriages drawn by locomotive engines, in from 1½ to 2 hours, produced an extraordinary sensation. The advantages likely to be derived from the extension of the system to other parts of the country have, we believe, been a good deal exaggerated. But, after every reasonable deduction has been made from the too sanguine anticipations of the projectors of rail-road schemes, there can be no doubt that a new era has commenced in travelling; and that, wherever the ground will admit, all considerable towns, not very remote from each other, or which have an extensive intercourse, will be connected by railways.

So far as we can at present judge, rail-roads seem to be, in all cases, better suited for the conveyance of passengers than of goods. It is the opinion of Sir Henry Parnell, that "where the trade is altogether a *descending one*, and water scarce, they are preferable to canals, and may be constructed cheaper; but for general traffic over a wide extent of country, they do not afford an cheap a means of conveyance as canals." — (P. 107.)

The expense of rail-roads depends partly on the nature of the ground, and partly on the purposes for which they are made. Of course it must differ very widely; and while in some instances rail-roads have been constructed for 1,000*l.* a mile, in others they have cost above 30,000*l.*!

"It is stated in the *Quarterly Review* (No. 62. p. 363.), that the general

average of a number of rail-roads, some tram-rails, others edge-rails, some of cast iron, others of wrought iron, of upwards of 500 miles extent, is as nearly as possible 4,000*l.* per mile, allowing them a double set of tracks; and the writer very justly remarks, from the imperfections of these old rail-roads, we may extend the average to 5,000*l.* per mile. Mr. Tredgold estimates the annual repair of a rail-road at 55*l.* per mile.

"Mr. Stephenson estimated the cost of making the rail-road, now in progress, from London to Birmingham at 2,500,000*l.*, or 21,756*l.* per mile; but other engineers have calculated the total expense at about 3,500,000*l.*, or at 30,400*l.* per mile.

"The annual expense of keeping a rail-road in repair depends much upon the velocity with which the waggons are drawn over it. Mr. Walker, in his Report to the Directors of the Manchester and Liverpool Rail-road, states that, as the speed with engines is greater than with horses, the injury is greater in case of any irregularity.

"It has been well ascertained, that rail-roads on which horses are employed are always found in much better order and repair than those on which locomotive engines are used. The relative expense of transporting goods upon canals, railways, and common roads may be estimated as follows: — From various observations which have been made on the work actually performed by horses on several railways, it may be assumed, that the greatest effect produced by horses is 12 tons gross, drawn over a space of 20 miles per day; and as the waggons employed on railways are generally one third of the gross weight, the nett weight of the goods carried will be 8 tons over 20 miles per day by 1 horse, or 160 tons over 1 mile, at the average velocity of 2 miles per hour. The expense may be taken at 2*d.* per ton per mile.

"On canals 1 horse will draw a boat containing 25 tons of goods, over a space of 16 miles per day, at the speed of 2½ miles per hour; this is equivalent to $25 \times 16 = 400$ tons of merchandise carried over 1 mile per day, or two and a half times as much as on a railway. The actual expense of transporting goods by canal is only ½*d.* per ton per mile, including boat hire, steersman, wages, and horse power.

"In Scotland and Ireland, where the roads are made with broken stones, and where the practice is to use one-horse carts, the work which horses perform may be taken at 25 cwt., exclusive of the cart. But in England, where waggons are used, and the roads are not so hard, the work of horses may be taken at 15 cwt. In the latter case the average cost is about 9*d.* per ton per mile, including the wear and tear of the carts, and the wages of the drivers. In some parts of the country the cost is 6*d.* per mile; but in other parts, as near London, it is 1*s.* The expense of carrying goods by locomotive engines on railways much exceeds that on canals, or on railways with horses.

"Since the opening of the Liverpool and Manchester railway, locomotive engines have been very much improved. On that line of railway, goods are carried at from 8 to 10 miles per hour for 4½*d.* per ton per mile; and passengers are carried at the same speed from Manchester to Liverpool, or *vice versâ*, for 3*s.* 6*d.*; and in the first class of carriages, with a velocity of from 15 to 20 miles per hour, for 7*s.*

"The locomotive engines cost, in the first instance, from 600*l.* to 1,000*l.*; the waggons for goods, about 40*l.*; and the carriages for passengers, about 200*l.* each. The locomotive engines are able to draw immense loads, but they are extremely expensive. The annual expense of each engine is estimated at 1,500*l.*, including wear and tear, and fuel, and attendance." — (*Parnell on Roads*, p. 107.)

The railways hitherto constructed in this country are private under-

takings, and have been executed at the expense of individuals and of joint stock companies, in the same way as canals.*

* The following details with respect to the Manchester and Liverpool Railway are extracted from the 4th volume of Mr. Baines's valuable History of Lancashire. — "In the summer of 1826 the ground for this great national work was first broken upon Chat Moss; and in December, 1828, the expenses already incurred amounted to 461,899*l.* This sum was, in the progress of the work, and with the cost of warehouses, stations, carriages, and steam-engines required to conduct the carrying trade, swelled to 1,200,000*l.*, the whole cost of the original undertaking, the excess of expenditure over the estimate being made up by an additional call of 50*l.* per cent. upon the 100*l.* shares of the proprietors, and by loans from government amounting to 400,000*l.*

"The journey is now performed regularly by the first-class train, which does not stop to set down or take up passengers by the way, in 1½ hour! and by the second-class train in 2 hours! According to the authority principally relied upon for the information contained in this article, there travelled along the line of the Liverpool and Manchester railway, for various distances, from the 15th of September, 1830, when it was opened with great pomp, to the 31st of December, in the same year, upwards of 70,000 passengers, without personal injury to a single individual, excepting one man, who had his legs severely bruised by two carriages coming in contact.

"Of the success of this great public work, as a pecuniary speculation, it is only necessary to say, that the dividends declared ever since the first year of the opening to the present time have been 8 per cent. per annum upon the 100*l.* shares, and for the last 5 half years, at the rate of 9*l.* per cent.; and that the original shares of 100*l.* are now (October, 1833) selling for 195*l.*

"The following particulars are principally to be found in the published report of the directors; and where these have failed us, we have reason to believe the results are pretty nearly correct: —

"Number of passengers conveyed between Liverpool and Manchester, *viz.*:

From 16 Sept. to 31 Dec. 1830	72,000	In the year 1833	386,000
In the year 1831	445,000	—— 1834	436,000
—— 1832	357,000		

And in the present year, 1835, we understand there is a considerable increase upon 1834. Of merchandise there were conveyed —

In 1831	91,000 tons	In 1833	156,000 tons.
1832	126,000	1834 about	169,000

"Of coals there were conveyed by this railway —

In 1832 about	60,000 tons.
1833	80,000
1834	99,000

"Of pigs in each of the two last years, there were conveyed from Liverpool to Manchester, from 65,000 to 70,000; and of sheep, from 40,000 to 50,000.

"Large cattle have been conveyed only in very small numbers, as they can be driven more cheaply than they can be carried by the railway.

"Of the railway company as a trading community it is sufficient to say, that their conduct has uniformly been regulated by those enlarged views, which secure success by a combination of sound judgment in designing, and of judicious management in executing, great public undertakings. The engineer, George Stephenson, Esq., is entitled to the well-merited renown of having overcome all the difficulties with which he had to contend, and brought to a successful issue one of the most interesting and important public works on record.

"It is almost superfluous to add, that the Manchester and Liverpool railway is among the causes which have, within the last few years, given so powerful an impulse to the trade and commerce of these continually reciprocating places." — (*Baines's History of Lancashire*, vol. iv.)

Conveyance of Letters. — The safe and speedy conveyance of letters by post is one the greatest services rendered to the public by the formation of good roads. It does not really seem, though the contrary has been sometimes contended, that the business of the post-office could be so well conducted by any one else as by government. The latter alone can enforce perfect regularity in all its subordinate departments; can carry it to the smallest villages, and even beyond the frontier; and can combine all its separate parts into one uniform system, on which the public may rely both for safety and despatch.

The tolls imposed to defray the cost of constructing and repairing turnpike roads, and the postage imposed on letters, are both unexceptionable taxes, provided they be restrained within moderate limits. It is but fair that those who travel along the roads, and those to whom letters are conveyed by post, should pay a reasonable sum for the accommodation that has thus been afforded to them. But oppressive tolls and postages obstruct that facility of communication and intercourse they are intended to promote; and are, in no ordinary degree, injurious.

CANALS. — The comparative cheapness with which goods may be conveyed by the sea, or by means of navigable rivers, seems to have suggested, at a very early period, the formation of canals to the ancient Egyptians and other nations. In Great Britain, however, owing to the late rise of commerce and industry, and the insular situation of the country, no part of which is very distant from a navigable river, no attempt was made to construct canals till a comparatively recent period. Our first efforts for the improvement of internal navigation were directed to the deepening of rivers and removing the obstructions to their navigation. In 1635, a project was set on foot for rendering the Avon navigable from the Severn, near Tewksbury, through the counties of Warwick, Worcester, and Gloucester. The civil war having broken out soon after, the project was abandoned, and does not seem to have been again revived. But after the Restoration, and during the earlier part of last century, acts were at different times obtained for deepening and improving river navigation. For the most part, however, these attempts were not very successful. The current of the rivers gradually changed the form of their channels; the dykes and other artificial constructions were apt to be destroyed by inundations; alluvial sand-banks were formed below the weirs; in summer the channels were frequently too dry to admit of being navigated, while, at other periods, the current was so strong as to render it quite impossible to ascend the river, which at all times indeed was a laborious and expensive undertaking. These difficulties in the way of river navigation seem to have suggested the expediency of abandoning the channels of most rivers, and of digging parallel to them artificial channels, in which the water might be kept at the proper level by means of locks. The act passed in 1755, for improving the navigation of Sankey-brook, on the Mersey, gave rise to a lateral canal of this description, about eleven miles and a quarter in length, which deserves to be mentioned as the earliest effort of the sort in England.

But before this canal had been completed, the celebrated Duke of Bridgewater, and his still more celebrated engineer, the self-instructed James Brindley, had conceived a plan of internal navigation, independent altogether of natural channels, and intended to afford the greatest facilities to commerce, by carrying canals over rivers and through mountains, wherever it was practicable to construct them.

English Canals. — The Duke of Bridgewater was the owner of an estate at Worsley, about 7 miles from Manchester, in which were valuable coal mines; but owing to the heavy cost of conveying the coal by land carriage to Manchester, the demand for it was comparatively limited. Under these circumstances, the duke revived the idea that had been previously entertained of

making Worsley brook navigable to the river Irwell, which was itself navigable to Manchester. But Brindley, who was fully aware of the superiority of canal navigation over that of almost any river, more especially of one so deficiently supplied with water as the Irwell, recommended his grace to construct a canal from Worsley to Manchester, and to carry it on the same level all the way, by means of an aqueduct 39 feet high over the Irwell. The duke having approved of this bold design, it was carried into effect, under the direction of Brindley, with wonderful skill and judgment, and the most perfect success. The canal was afterwards extended through Cheshire to Runcorn, at the bottom of the estuary of the Mersey; and has ever since been, notwithstanding the competition of the rail-road, the principal channel by which all sorts of heavy goods are conveyed between Liverpool and Manchester.

The opening of this canal was productive of vast advantage to the public, having immediately lowered the price of coal, in Manchester, to half its previous amount, and supplied a speedy, cheap, and regular channel of communication between that town and its port. It was happily, also, highly advantageous to its noble proprietor, who risked a large fortune on the enterprise.

The success that attended this project excited the public attention in all parts of the empire, to the advantages that might be derived from such undertakings, and gave a wonderful stimulus to canal navigation. Brindley had early conceived the magnificent idea of joining the four great ports of Liverpool, Hull, Bristol, and London by a system of grand canals, from which subsidiary canals might be carried to the contiguous towns; and though he died in 1772, at the premature age of 56, he had the satisfaction to see his projects considerably advanced towards completion.

The Grand Trunk Canal, or the canal intended to join the Trent and Mersey, — the first link in this great chain, — was planned by Brindley, and was partly constructed under his superintendence. It proceeds from the Duke of Bridgewater's canal at Newton Bank, near Runcorn, in a south-east direction by Middlewich and Burslem, till near Lichfield, where it turns north-east, joining the Trent at Wilden Ferry, on the north-west angle of Leicestershire. It is 93¼ miles in length. At Harecastle, on the confines of Cheshire and Staffordshire, it is carried under a pretty high hill by a tunnel 2,880 yards in length. This canal has been of vast advantage to the proprietors and the public. In the middle part, where smallest, it is 29 feet broad at top, 16 do. at bottom, and 4½ do. deep.

The Grand Trunk Canal has since been united, on the one hand, by the Birmingham and Fazeley, and the Birmingham and Worcester, canals, with the Severn at Worcester; and, on the other hand, the Coventry, Oxford, and Grand Junction canals have united it with the Thames near Brentford, — completing the internal communication between the four great ports of the kingdom.

The navigation from the Mersey to the Humber, by the Grand Trunk Canal, is very circuitous and tedious. But other and shorter lines of internal navigation have since been opened between them; and which connect, in fact, all the great manufacturing towns of Lancashire and of the West Riding of Yorkshire with each other, and with the ports of Liverpool and Hull. The first constructed of these lines stretches by a route 130 miles in length, from Liverpool, by Skipton, to Leeds, where it joins the Aire and Calder navigation. This canal was begun in 1770, and was the boldest and most magnificent project of the sort that had been then attempted. It took 46 years to complete, and cost in all about 1,200,000*l*. The original line, which had been approved by Brindley, was, in several instances, departed from in the course of the work. The depth of water is about 5 feet. Notwithstanding its vast expense, and the competition of other lines, it has become,

contrary to what was long anticipated, a profitable project for the subscribers. More direct channels of communication, joining the Mersey and Humber, have since been carried across the great central ridge, or high grounds, between Lancashire and Yorkshire, by the Rochdale and Huddersfield canals. The summit level of the latter, at the tunnel where it is carried under Standege Hill, is 656½ feet above the level of the sea, being the highest elevation of any canal in the kingdom. The tunnel referred to is 5,451 yards, above 3 miles, in length.

Exclusive of the communication, already noticed, between the Thames and Severn, these two rivers are directly united by three different lines of navigation. Of these, the most northerly is the navigation from Oxford to Lechlade, by the Isis; and from Lechlade to Stroud on the Severn, by the Thames and Severn Canal. The next, or middle navigation, is by the Wilts and Berkshire Canal, from Abingdon on the Thames to near Melksham, where it unites with the Kennet and Avon Canal, extending to Bath and Bristol. The last, or most southerly line, leaves the Thames at Reading. It consists partly of the river Kennet navigation, and partly of the Kennet and Avon Canal, now mentioned. This last is the most direct line of communication by water between London and Bristol; and is the channel by which most part of the bulky articles passing from the one to the other is conveyed. Owing, however, to the heavy cost of its construction, the Kennet and Avon Canal has not been profitable for the undertakers. It is 57 miles in length; its summit level is 474 feet above high-water mark, and it has a minimum depth of 5 feet water. Few canals exhibit so many specimens of aqueducts, tunnels, and deep cutting.

In addition to the above, an immense number of other canals have been constructed at different periods, some of which are of great magnitude and importance; so that England now enjoys an extent of canal navigation amounting in all to above 2,400 miles, and unparalleled in any other European country with the exception of Holland. Few of the English canals are above 7 or under 4 feet in depth. The Gloucester and Berkeley Canal is, however, 18 feet deep, and vessels of 400 tons are consequently enabled to reach Gloucester by its means.

All the English canals have been constructed, either by associations or individuals, under the authority of acts of parliament, which give power to levy certain rates on the passengers and goods conveyed by them. Unluckily, parliament has not reserved to itself the power of revising and altering these rates of charge; an oversight which has, in many instances, very seriously compromised the public interest.

Scotch Canals. — In Scotland, the great canal to join the Forth and Clyde was begun in 1768, but it was suspended in 1777, and was not resumed till after the close of the American war. It was finally completed in 1790. Its total length, including the collateral cuts to Glasgow and the Monkland Canal, is 38¾ miles. Its summit level is 150 feet above the level of the sea. It is on a larger scale than most English canals. Its medium width at the surface is 56, and at the bottom 27, feet. Originally it was about 8 feet 6 inches deep; but recently its banks have been raised, so that the depth of water is now about 10 feet. It has, in all, 39 locks. In completing this canal many serious difficulties had to be encountered: these, however, were all successfully overcome; and, though unprofitable for a while, it has, for many years past, yielded a handsome return to its proprietors.

The Union Canal joins the Forth and Clyde Canal near Falkirk, and stretches thence to Edinburgh, being 31½ miles in length. It is 40 feet wide at the top, 20 at bottom, and 5 deep. It was completed in 1822; but has been, in all respects, a most unprofitable undertaking. Hitherto the proprietors have not received any dividend; and their prospects, we understand, are little, if any thing, improved.

A canal intended to form a communication between Glasgow, Paisley, and Ardrossan, was commenced in 1807; but only that portion connecting Glasgow with Paisley and the village of Johnstown has hitherto been finished. This part is about 12 miles long; the canal being 30 feet broad at top, 18 at bottom, and 4½ deep. It was here that the important experiments were made on quick travelling by canals, which demonstrated that it was quite practicable to impel a properly constructed boat, carrying passengers and goods, along a canal at the rate of 9 or 10 miles an hour, without injury to the banks.

The Crinan Canal, across the peninsula of Cantire, is 9 miles long, and 12 feet deep, admitting vessels of 160 tons burden.

The Caledonian Canal is the greatest undertaking of the sort attempted in the empire. It stretches south-west and north-east across the island, from a point near Inverness to another near Fort William. It is chiefly formed by Loch Ness, Loch Oich, and Loch Lochy. The total length of the canal, including the lakes, is 58¾ miles; but the excavated part is only 21½ miles. At the summit it is 96½ feet above the level of the Western Ocean. It has been constructed upon a very grand scale, being 20 feet deep, 50 feet wide at bottom, and 122 at top: the locks are 20 feet deep, 172 long, and 40 broad. Frigates of 32 guns, and merchant ships of 1,000 tons burden, may pass through it. This canal was opened in 1822. It was executed entirely at the expense of government, from the designs and under the superintendence of Thomas Telford, Esq., on whose skill and talents as an engineer it reflects the highest credit. The entire cost has been 986,924*l.* It would, however, appear to have been projected without due consideration, and promises to be a very unprofitable speculation. During the year 1829 the total revenue of the canal, arising from tonnage dues and all other resources, amounted to only 2,575*l.* 6*s.* 4*d.*, while the ordinary expenditure during the same year amounted to 4,573*l.* 0*s.* 1½*d.* It is, therefore, very doubtful whether the revenue derived from it will ever be able to defray the expense of keeping it in repair, without allowing any thing for interest of capital.

Some other canals have been projected and completed in different parts of Scotland. Of these the Don and Dee Canal from Aberdeen to Inverury, for the conveyance of granite from the latter to the former, is the most extensive; and the Monkland Canal, for the supply of Glasgow with coal, the most successful.

Account exhibiting the Length in Miles of the principal British Canals; the Number of Shares in each; the Cost or Sum actually expended upon such Shares; the Price which they brought in the Market in February, 1836; the Dividends that were then payable on the same, &c.*

Names of Canals.	Length in Miles.	Number of Shares.	Amount of Shares.	Average Cost per Share.	Price per Share.	Div. per Annum.	Dividend payable.
			£ s.	£ s. d.	£ s.	£ s.	
Ashby-de-la-Zouch	26½	1,482	100 0	113 0 0	65 0	4 0	April, Oct.
Ashton and Oldham	18	1,766	- -	113 0 0	162 0	7 0	April, Oct.
Barnsley	14	720	160 0	217 0 0	270 0	13 0	Feb. Aug.
Basingstoke	37	1,260	100 0	- -	5 5		
Birmingham (1-16th sh.)	22½	4,000	17 10	- -	200 0	12 10	April, Oct.
Birmingham and Liverpool Junction	39	4,000	100 0	100 0 0 pd.	28 0		
Bolton and Bury	-	477	250 0	- -	105 0	6 0	January.
Brecknock and Abergavenny	33	1,005	150 0	- -	90 0	5 0	Jan. July.
Bridgewater and Taunton	42½	600	100 0	100 0 0 pd.	65 0		
Calder and Hebble	22	- -	- -	- -	490 0		
Carlisle	11½	1,600	50 0	21 10 0 pd.			

* The length is taken from *Priestley's Account of Canals, &c.;* and the other particulars from the *Share List* of Mr. Edmunds, Broker, 9. Change Alley, Cornhill.

Length in Miles of British Canals, &c. — *continued.*

Names of Canals.	Length in Miles.	Number of Shares.	Amount of Shares.	Average Cost per Share.	Price per Share.	Div. per Annum.	Dividend payable.
			£ s.	£ s. d.	£ s.	£ s.	
Chelmer and Blackwater	13¾	400	100 0	- - -	99 0	4 10	January.
Chesterfield	46	1,500	100 0	- - -	160 0	8 0	
Coventry	27	500	100 0	- - -	807 10	46 0	May, Nov.
Crinan	9⅛	1,851	50 0	- - -	2 0		
Cromford	18	460	100 0	- - -	360 0	19 0	Jan. July.
Croydon	9½	4,546	100 0	31 2 10	2 10		
Derby	9	600*l.*	100 0	110 0 0	118 0	7 0	Jan. July.
Dudley	13	2,060	100 0	- - -	77 0	3 10	March, Sept.
Ellesmere and Chester	109	3,575	133 0	133 0 0	85 10	- -	September.
Erewash	11¾	231	100 0	- - -	400 0	40 0	May, Nov.
Forth and Clyde	38½	1,297	100 0	400 10 0	590 0	25 0	June, Dec.
Glamorganshire	25	600	100 0	172 13 4	275 0	13 12	{ May, June, { Sept. Dec.
Gloucester and Berkley	18½	1,187	100 0	- - -	14 0		
Grand Junction	93¾	11,600	100 0	224 10 0	226 0	12 0	Jan. July.
Grand Surrey	12	1,521	100 0	- - -	- -	- -	April, Oct.
Grand Union	45	2,849½	100 0	- - -	25 0	1 0	1st October.
Grand Western	35	3,096	100 0	100 0 0 pd.	17 0		
Grantham	30	749	150 0	150 0 0	200 0	10 0	May.
Hereford and Gloucester	35½		100 0	- - -	14 0		
Huddersfield	19¼	6,238	100 0	6 6	80 0	1 10	September.
Ivel and Ouse Beds	7	148	100 0	100 0 0	115 10	5 0	Jan. July.
Kennet and Avon	57	25,328	100 0	39 18 10	20 10	1 0	September.
Kensington	-	150	100 0	100 0 0 pd.	20 0		
Lancaster	76	11,699½	100 0	47 6 8	26 0	1 0	April.
Leeds and Liverpool	130	2,879¾	100 0	- - -	510 0	20 0	May, Nov.
Leicester	21½	540	- -	140 0 0	146 0	10 0	Jan. July.
Leicester and Northampton	17	1,897	100 0	83 10 0	78 0	4 0	Jan. July.
Loughborough	9½	70	- -	142 17 0	1,250 0	110 0	Jan. July.
Macclesfield	29¾	1,665	100 0	100 0 0 pd.	56 0	1 0	
Melton Mowbray	-	250	100 0	- - -	200 0	10 0	July.
Mersey and Irwell	50	500	100 0	- - -	560 0	25 0	November.
Monkland	12	101	100 0	- - -	90 0		
Monmouthshire	17½	2,408	100 0	100 0 0	181 0	8 10	Jan. July.
Montgomeryshire	27	700	100 0	- - -	90 0	4 0	March, Aug.
North Walsham and Dilham	-	600	50 0	50 0 0 pd.	10 0	- -	January.
Neath	14	247	- -	107 10 0	325 0	15 0	Aug. Feb.
Nottingham	15	500	150 0	- - -	265 0	12 0	April, Oct.
Nutbrook	5	130	100 0	- - -		6 2	
Oakham	15	522	130 0	- - -	38 0	- -	May.
Oxford	84	1786	100 0	- - -	555 0	30 0	March, Sept.
Peak Forest	21	2,400	100 0	48 0 0	106 0	4 0	June, Dec.
Portsmouth and Arundel	13	2,520	50 0	50 0 0	5 0		
Regent's	9	21,418	100 0	33 16 8	15 5	- -	July.
Rochdale	31	5,669	100 0	85 0 0	120 0	6 0	May.
Shrewsbury	17¼	500	125 0	- - -	243 0	9 0	May, Nov.
Shropshire	7¼	590	125 0	- - -	140 0	7 10	June, Dec.
Somerset Coal	8½	806	50 0	- - -	163 0	10 0	Jan. July.
Stafford and Worcester	46¼	700	140 0	140 0 0	680 0	36 0	Feb. Aug.
Stourbridge	5	300	145 0	- - -	260 0	9 0	Jan. July.
Stratford-on-Avon	23¾	3,647	- -	79 9 8	38 0	1 15	August.
Stroudwater	8	200	150 0	- - -	525 0	24 0	May, Nov.
Swansea	17¼	513	100 0	180 0 0	215 0	12 0	November.
Tavistock	4¼	350	100 0	- - -	105 0	2 0	
Thames and Medway	8¼	4,805	100 0	30 4 3	2 0		
Thames and Severn, New	30½	1,150	- -	- - -	32 0	1 10	June.
Trent and Mersey (½)	130	2,600	50 0	- - -	610 0	32 10	January.
Warwick and Birmingham	25	1,000	{ 100 0 }	- - -	272 0	15 0	May, Nov.
		1,000¾	{ 50 0 }				
Warwick and Napton	15	980	100 0	- - -	213 0	10 0	May, Nov.
Wey and Arun	16	905	110 0	110 0 0	25 0	- -	May.
Wilts and Berks	52	5,000	- -	- - -	19 0	1 0	June.
Wisbeach	6	126	105 0	105 0 0	40 0	- -	February.
Worcester and Birmingham	29	6,000	- -	- - -	82 0	4 0	Feb. Aug.
Wyrley and Essington	27	800	125 0	- - -	78 0	3 0	December.

Irish Canals. — It is pithily observed by Mr. Young, that "*a history of public works in Ireland would be a history of jobs.*" * The canals that have been constructed in that country, seem completely to verify this caustic remark. Immense sums of money have been lavished upon them to very little purpose, except the enriching of contractors: and it is not easy to say whether the ignorance displayed by the greater number of the projectors, the waste of public money by which they have been for the most part characterised, or their inutility, be their most prominent features.

Grand Canal. — This, which is the most important of the Irish canals, was begun in 1756. The works have, however, been frequently interrupted; and it was not extended to Ballinasloe till 1829. It was undertaken by a body of subscribers, incorporated for the purpose; but they could not have completed the canal without liberal grants from the public. It commences at Dublin, and stretches in a westerly direction, inclining a little to the south, to the Shannon, with which it unites near Banagher, a distance of about 87 statute miles. But exclusive of the main trunk, there is a branch to Athy, where it joins the Barrow, a distance of about 26 miles; and there are branches to Portarlington, Mount Mellick, and some other places. The westerly branch, from the Shannon to Ballinasloe, is about 14 miles in length. At its highest elevation the canal is 278 feet above the level of the sea at Dublin; it is 40 feet wide at the surface, from 24 to 26 feet wide at bottom, and has 6 feet water. The locks on the trunk of the canal are 70 feet long and 14½ wide. Including the main body of the canal, its extension from Shannon harbour to Ballinasloe, and its various branches, its total length is about 156 English miles. A considerable part of its course is through the Bog of Allen, a circumstance which added greatly to the expense of its construction. The sums expended upon the Grand Canal, down to 1823, amounted, according to the statement by Messrs. Henry, Mullins, and M'Mahon, to 1,861,000*l.*; and its subsequent extension from the Shannon to Ballinasloe, with the branch to Mount Mellick, have most probably carried its total cost to about 2,000,000*l.*

Two capital errors seem to have been committed in the formation of this canal, — it was framed on too large a scale, and was carried too far north. Had the canal had only 4 or 4½, instead of 6 feet water, its expense would have been "vastly lessened," while its efficiency would not have been, in any considerable degree, impaired. But the great error was in its direction. Instead of joining the Shannon about 15 miles above Lough Derg, it should have joined it below Limerick. The advantages of this would have been threefold: 1st, it would have enabled barges bound for or leaving Limerick to avoid the difficult and dangerous navigation of the Shannon; 2d, it would have run through a comparatively fertile country, to whose products it would have afforded advantageous outlets; and, 3d, it would have avoided the Bog of Allen, in which, says Mr. Wakefield, "the company have buried more money than would have cut a spacious canal from Dublin to Limerick." — (Vol. i. p. 642.) Its principal use is to facilitate the conveyance of turf, grain, and other produce to Dublin; but an immense number of passengers are also conveyed by it. In a mercantile point of view, it has been and is a most unprofitable concern; though there can be no doubt that it has contributed materially to promote commerce and internal improvement, particularly since the extension of its branches to Athy and Mount Mellick. We subjoin —

* *Tour in Ireland*, part ii. p. 66. 4to. ed.

An Account of the Tonnage of all Sorts of Commodities conveyed to and from Dublin by the Grand Canal, during the Eleven Years ending with 1831, with the Amount of the Toll paid thereon.

Years.	Tonnage.	Amount of Toll. £	s.	d.	Years.	Tonnage.	Amount of Toll. £	s.	d.
1821	142,622	32,517	13	10	1827	179,173	33,587	4	9½
1822	134,939	24,866	4	9	1828	190,387	35,212	19	0½
1823	143,147	24,058	6	7	1829	191,774	31,435	15	8½
1824	166,749	27,679	7	3	1830	224,749	33,464	8	0
1825	188,731	32,323	7	1	1831	237,810	36,734	12	3
1826	189,686	28,408	16	4					

During the three years ending with the 30th of April 1830, the number of passengers carried to and from Dublin, and other parts of the Grand Canal, and the amount of fares paid, were as follows : —

Years.	Passengers' First Cabin.	Passengers' Second Cabin.	Amount of Fares. £	s.	d.
1828	19,725	46,751	11,206	17	8
1829	19,385	47,234	10,575	14	1½
1830	19,483	53,036	11,428	0	2 *

Royal Canal. — This canal was begun in 1789. It stretches westward from Dublin to the Shannon, which it joins at Tormanbury. Its entire length is about 83 miles; its highest elevation is 322 feet above the level of the sea. At bottom it is 24 feet wide, having 6 feet water. The locks are 81 feet long and 14 feet wide. It has cost, exclusive of interest on stock, loans, &c. advanced by government, 1,421,954*l.*

The Royal Canal is, if possible, far more injudiciously planned than the Grand Canal. It has the same defect of being extravagantly large; and throughout most part of its course it is nearly parallel to the former, from which, indeed, it is but a short way distant. There are, consequently, two immense canals, where there ought, perhaps, to be none! At all events it is certain that *one* canal, of comparatively moderate dimensions, would have been quite enough for all the business of the district though it were much greater than it is at present, or than it is ever likely to become. The immense sum expended on the Royal canal has really, therefore, been little better than thrown away.

The writer of these remarks, when at Dublin a few years ago, examined that part of the Royal canal nearest to Leixlip. It did not appear ever to have been made any use of. The water in it was quite pure, except that in some places it was full of aquatic plants. The locks were very much decayed; and had generally on the one side a dyke of turf, constructed by the country people, to facilitate their passage across the canal! Whether matters have changed since is more than he can undertake to say.

The total sum collected on account of the tolls of the Royal canal, in 1831, was 12,729*l.* 6*s.* 1*d.* We suspect that this sum would hardly do more than defray the cost of the persons employed on the canal, and its ordinary wear and tear, leaving nothing for profit. In 1828, 22,291 tons of potatoes were brought to Dublin by this conveyance.

Limerick Navigation. — So early as 1767 a company was formed for improving the navigation of the Shannon, between Limerick and Killaloe, at

* *Report of Select Committee of* 1830 *on the State of Ireland, Min. of Evidence,* pp. 488–442.

the south end of Lough Derg. The distance is about 15 miles; it is called the Limerick navigation, and is partly a canal, and partly a river navigation. About 123,500*l.* have been expended, principally by the public, on this undertaking.

Exclusive of the above, a very large sum has been expended in improving the navigation of the Shannon between Portumna and Athlone; but it is still very defective. During floods the channel is not discernible, from the great rise of the water, and the lowness of the river's banks; and in dry seasons the inconvenience of the opposite extreme is felt, there not being in many places more than two feet depth of water. — (See Vol. I. p. 333.)

River Barrow Navigation. — It has been attempted, partly by collateral cuts, and partly by deepening the river, to make the Barrow navigable for barges to Athy, where it is joined by a branch of the Grand Canal. On this undertaking 255,500*l.* have been expended. It has been but indifferently successful. "The very imperfect state of the navigation, the defectiveness of the works, *both as to execution and design* (those only projected by Mr. Chapman excepted), must consume in their maintenance and repair the greater portion of any revenue arising therefrom, leaving a mere nominal remuneration to the subscribers, who have made great sacrifices, although ill-directed, for the improvement of the country, and the amelioration of the working classes of the people." — (*Report by Messrs. Henry, Mullins, and M'Mahon.*)

River Boyne Navigation. — This, like the Barrow navigation, consists partly of collateral cuts, and partly of excavations in the bed of the river. It has cost about 116,000*l.* It has been badly executed, and is a very unprosperous concern.

The Newry Navigation extends from the sea lock at Fathom to Lough Neagh, a distance of 24 Irish or 30⅜ English miles, 12 of which are in the bed of the Upper Bann river. It was begun so early as 1739. Its highest elevation is 65 feet above the level of the sea, and 22 feet above Lough Neagh. It has been wholly executed at the public expense; and has cost, including the Tyrone and Mahery cut, connecting Coal Island with the Blackwater and Lough Neagh, 75,730*l.* in improvements and repairs only since 1800. "The summit level is badly supplied in dry seasons, and the navigation in other respects is very defective, particularly that part of it which is carried in the bed of the river Bann, being subject to the impediments and interruptions inseparable from river navigation. The course of the river Bann is meandering and circuitous; its banks are low and marshy, topped even by ordinary floods, during which the channel ceases to be distinguishable, when the navigation is, in consequence, suspended. Some of these inconveniences might be obviated by erecting beacons in the line of the channel, which, if properly marked, could be navigated in flood time, from the sluggishness of the current." — (*Report by Messrs. Henry, Mullins, and M'Mahon.*)

Lagan Navigation is partly a river, and partly a still water navigation. It is completed from Lough Neagh to within 2½ miles of Belfast, and, when finished, will be about 22 Irish, or 28 English, miles in length. The summit level is 112½ feet above the sea. About 96,000*l.* have been expended on this undertaking, of which 60,000*l.* were contributed by the Donegal family, 16,000*l.* by the public, and the residue by private individuals. The highest level is badly supplied with water, the navigation is much interrupted in dry seasons, and is otherwise very defective. It is almost needless to add, that the concern has been an unprofitable one.

We are indebted for the greater number of these details to the report by Messrs. Henry, Mullins, and M'Mahon, engineers, printed in the Appendix to the Report of the Select Committee of 1830 on the State of Ireland, and

to the evidence of Nicholas Fanning, Esq. before the same committee. Mr. Wakefield's book has supplied a few statements.

5. SHIPPING. — Of the various instruments by which foreign commerce is carried on, ships, to an insular nation like Great Britain, are, perhaps, the most important of any. Owing to various circumstances, the investigation of which is foreign to the object of this work, the shipping of England did not become considerable till the reign of Elizabeth. It gradually increased under her successors James I. and Charles I. At the Restoration, the British shipping cleared outwards amounted to 95,266 tons; but such was the increase of navigation during the reigns of Charles II. and James II., that at the Revolution the British shipping cleared outwards amounted to 190,533 tons. The war, terminated by the treaty of Ryswick in 1697, checked this progress. But commerce and navigation have steadily advanced, with the exception of two short periods — during the war of 1739 and the American war, from the beginning of last century down to the present day.

The first really authentic account of the magnitude of the commercial navy of England was obtained, in 1701—2, from returns to circular letters of the Commissioners of Customs, issued in January of that year. From these it appears that there then belonged to *all* the ports of England and Wales 3,281 vessels, measuring (or rather supposed to measure) 261,222 tons, and carrying 27,196 men. Of these there belonged to London 560 vessels of the burden of 84,882 tons, having a crew of 10,065 men. Bristol was the next port to London, but it had only 2,359 seamen. — (*Macpherson's Annals of Commerce*, anno 1701.)

During the next 30 years the shipping belonging to London was more than doubled; for, in 1732, it possessed 1,417 vessels, measuring 178,557 tons, and navigated by 21,797 men. The shipping of Liverpool and some other ports had, in the same interval, increased still more rapidly. — (*Macpherson*, anno 1732.)

It appears from a custom-house account, that, in 1760, there belonged to England and Wales 6,105 vessels, of the reputed burden of 433,922 tons; and to Scotland 976 vessels, of the reputed burden of 52,818 tons. But a note subjoined, by the assistant registrar-general of shipping, to this account, shows that it is very defective, both as to the number of vessels and their burden. So much so is this the case, that the real tonnage, at the period referred to, is believed, on good grounds, to have exceeded by full 50 per cent. the amount stated above. — (*Macpherson*, anno 1760.)

The increase of commerce and shipping, since 1760, has been quite extraordinary. On the 30th September, 1800, the amount of the registered shipping belonging to the different ports of the empire was as under: —

Countries.	Vessels.	Tons.	Men.
England - -	12,198	1,466,632	105,037
Scotland - -	2,155	161,511	13,883
Ireland - - -	1,003	54,262	5,057
Guernsey and Jersey -	130	10,647	1,412
Man - - -	238	5,463	1,285
Colonies - -	2,161	157,364	12,047
Totals -	17,885	1,855,879	138,721

The subjoined account shows the amount of our mercantile navy in 1832, with its distribution among the different ports of the United Kingdom, since which the proportions belonging to each have undergone no material variation. It will be seen that the number of ships and the tonnage have increased nearly 40 per cent. since 1800.

Account of the Number of Ships or Vessels belonging to the different Ports of the British Empire in 1832, stated in succession, agreeably to the Amount of Tonnage belonging to each; and specifying also the Number of the Crews.

Ports.	Ships.	Tons.	Men.	Ports.	Ships.	Tons.	Men.	Ports.	Ships.	Tons.	Men.
London	2,669	565,174	32,786	Penzance	83	4,260	425	Banff	126	5,341	537
Newcastle	1,077	220,784	10,267	Padstow	80	4,187	288	Kirkwall	79	3,918	319
Liverpool	853	166,028	9,329	Rye	75	4,175	208	Lerwick	101	3,880	775
Sunderland	727	129,082	5,718	Blackney and Clay	59	4,008	258	Thurso	40	2,831	201
Whitehaven	475	69,013	3,672	Ilfracombe	61	4,002	220	Stornoway	63	2,782	269
Hull	552	68,892	4,318	Wells	67	3,889	270	Campbeltown	63	2,664	246
Bristol	296	46,567	2,460	Bridgewater	51	3,511	209	Stranraer	38	1,407	146
Yarmouth	576	43,509	3,232	Carlisle	42	3,291	190	Total Scotland	3,266	340,365	22,611
Whitby	258	41,347	2,089	Newport	43	3,281	219				
Scarborough	168	27,754	1,413	Shoreham	50	3,257	209	Belfast	255	25,151	1,526
Plymouth	336	27,584	1,663	Llanelly	66	3,198	205	Dublin	299	22,972	2,172
Dartmouth	277	26,389	1,737	Cardiff	44	2,931	179	Cork	275	18,019	1,465
Beaumaris	401	22,856	1,593	Wisbeach	47	2,923	161	Waterford	106	11,455	688
Poole	160	16,775	1,022	Chichester	66	2,852	183	Newry and Strangford	148	7,28	629
Lynn	122	16,404	741	Arundel	34	2,843	163	Londonderry	42	6,262	360
Exeter	192	16,169	912	Aldborough	49	2,713	199	Wexford	109	6,178	533
Cardigan	286	14,582	1,060	Woodbridge	36	2,608	252	Drogheda	35	2,715	194
Gloucester	225	12,809	1,025	Southwold	37	2,473	199	Limerick	47	2,607	177
Rochester	272	11,706	728	Truro	30	2,252	131	Baltimore	35	2,189	261
Ipswich	147	10,371	547	Barnstaple	37	1,980	121	Sligo	16	1,131	76
Portsmouth	183	10,057	646	Lyme	24	1,851	109	Galway	16	940	66
Bideford	117	9,688	548	Scilly	30	1,657	137	Dundalk	9	534	34
Lancaster	120	9,571	512	Bridport	14	1,592	79	Coleraine	11	292	32
Boston	174	9,133	540	Grimsby	39	1,489	116	Westport	5	97	15
Stockton	85	8,998	477	Newhaven	20	1,448	65	Total Ireland	1,456	108,128	8,228
Milford	434	8,932	571	Minehead	21	932	63				
Goole	119	8,545	472	Deal	23	604	121	British Islands			
Swansea	131	8,233	545	Gweek	9	600	39	Jersey	216	20,250	1,895
Southampton	174	8,061	698					Guernsey	80	9,158	647
St. Ives	107	7,852	516	Total England	14,421	1,807,487	103,349	Man	225	6,472	1,302
Colchester	233	7,688	932								
Faversham	248	7,555	562	Aberdeen	355	41,671	3,026	Total British Islands	521	35,880	3,844
Cowes	168	7,418	703	Glasgow	241	41,553	3,053				
Weymouth	85	6,839	423	Dundee & Perth	349	37,990	2,619				
Aberystwith	126	6,645	435	Greenock	367	31,794	2,553				
Maldon	140	6,129	412	Leith	246	23,699	1,942				
Falmouth	81	6,213	413	Grangemouth	191	22,971	1,260	Total United Kingdom and Brit. Islands	19,664	2,261,860	138,532
Fowey	89	5,930	381	Montrose	185	17,456	1,147				
Harwich	95	5,726	520	Irvine and Ayr	135	15,918	919				
Chepstow	72	5,359	347	Kirkaldy	181	13,591	1,224	British Plantations	4,771	356,208	23,202
Dover	116	5,256	634	Dumfries	189	12,804	757				
Ramsgate	77	5,116	370	Borrowstouness	124	9,985	599				
Berwick	59	4,926	317	Inverness	146	7,298	554	Grand Total	24,435	2,618,068	161,734
Bridlington	32	4,888	221	Port Glasgow	50	6,905	374				
Chester	74	4,794	268								

Account of the Number and Tonnage of Vessels, and the Number of their Crews, belonging to the British Empire, on the 31st December, 1832, 1833, and 1834.

	1832.			1833.			1834.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
United Kingdom	19,143	2,225,980	134,588	19,158	2,233,855	136,250	19,447	2,274,702	138,265
Isles of Guernsey, Jersey, and Man	521	35,880	3,844	531	37,446	3,839	528	37,653	3,761
British Plantations	4,771	356,208	23,202	4,696	363,276	23,911	5,080	403,745	26,035
Total	24,435	2,618,068	161,634	24,385	2,634,577	164,000	25,055	2,716,100	168,061

Account of the Number and Tonnage of Vessels which entered Inwards and cleared Outwards with Cargoes, at the several Ports of the United Kingdom, during the Years 1834 and 1835; distinguishing the Vessels employed in the intercourse between Great Britain and Ireland, from other Coasters.

	Entered Inwards.				Cleared Outwards.			
	1834.		1835.		1834.		1835.	
	Ships.	Tonnage.	Ships.	Tonnage.	Ships.	Tonnage.	Ships.	Tonnage.
Employed in the intercourse between Great Britain and Ireland	9,476	1,041,882	10,026	1,100,789	14,225	1,378,938	14,560	1,440,617
Other coasting vessels	107,390	8,358,454	112,414	8,774,326	113,696	8,627,385	116,131	8,892,632
Total	116,866	9,400,336	122,440	9,874,715	127,921	10,006,313	130,691	10,333,249

Account of the Number of Vessels, with the Amount of their Tonnage, Built and Registered in the several Ports of the British Empire in the Years 1832, 1833, and 1834.

	1832.		1833.		1834.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom	755	90,150	711	89,212	780	100,367
Isles of Guernsey, Jersey, and Man	26	2,735	17	2,959	26	2,343
British Plantations	386	43,397	431	52,476	354	45,411
Total	1,145	136,312	1,159	144,647	1,160	148,121

Account of the Shipping employed in the Trade and Navigation of the United Kingdom in 1834; specifying the Number and Tonnage of Vessels entering Inwards and clearing Outwards (including their repeated Voyages), and the Number of their Crews; separating British from Foreign Vessels; and distinguishing the Trade and Navigation with each Country.

Countries.	Inwards.						Outwards.					
	British.			Foreign.			British.			Foreign.		
	Ships.	*Tons.*	*Men.*	*Ships.*	*Tons.*	*Men.*	*Ships.*	*Tons.*	*Men.*	*Ships.*	*Tons.*	*Men.*
Russia	1,519	297,013	13,568	228	59,166	2,725	1,682	217,375	9,941	152	38,826	1,732
Sweden	103	15,353	764	183	35,910	1,731	101	15,278	770	125	24,174	1,051
Norway	63	6,403	398	648	98,305	5,139	44	4,177	283	612	107,809	5,406
Denmark	47	5,691	278	657	55,282	3,138	335	56,703	2,667	817	86,720	4,696
Prussia	393	32,021	1,506	557	115,111	5,051	155	25,609	1,216	425	88,396	3,817
Germany	701	115,278	5,502	544	46,471	2,552	719	117,964	5,669	586	48,865	2,721
Holland	4,011	137,546	6,684	616	67,230	3,667	877	120,584	5,847	597	64,214	3,891
Belgium	407	40,875	3,265	371	43,683	2,260	375	34,051	2,896	332	36,369	1,893
France	1,565	128,017	12,168	1,403	74,382	9,207	1,574	131,941	12,361	1,202	66,459	7,652
Portugal, Proper	514	59,043	3,192	36	4,559	322	508	61,618	3,832	90	16,833	893
Azores	165	12,338	753	-	-	-	165	12,493	848	2	261	26
Madeira	34	2,475	160	-	-	-	20	3,432	197			
Spain and the Balearic Islands	427	45,251	2,588	34	3,862	288	341	36,799	2,176	52	8,492	500
Canary Islands	36	3,830	198	1	101	6	34	3,711	196	1	92	8
Gibraltar	28	3,729	207	-	-	-	24	11,734	648	6	1,151	64
Italy and Italian Islands	387	58,142	3,218	63	14,380	799	473	71,076	3,913	60	12,917	703
Malta	8	1,063	67	1	156	9	80	12,022	645	6	984	61
Ionian Islands	62	8,469	462	-	-	-	42	5,753	306			
Turkey and Continental Greece	134	18,688	1,012	1	298	15	140	20,789	1,166	1	292	14
Morea and Greek Ilds.	16	2,311	121	-	-	-	10	1,158	69			
Egypt	6	1,124	57	-	-	-	24	5,067	299	1	260	14
Tripoli, Barbary, and Morocco	33	4,014	209	-	-	-	20	2,534	141	1	322	16
Coast of Africa, from Morocco to the Cape of Good Hope	137	32,313	1,763	5	452	48	151	35,533	2,091	4	640	35
Cape of Good Hope	27	5,566	330	-	-	-	47	9,145	630			
Eastern Coast from the Cape of Good Hope to Babel Mandel	1	138	7									
Isle of Bourbon	-	-	-	-	-	-	1	195	14			
Cape de Verd Islands	-	-	-	-	-	-	3	892	39			
St. Helena and Ascension	2	362	19	-	-	-	12	2,158	110			
Mauritius	75	20,909	1,073	-	-	-	33	9,192	490			
Arabia	-	-	-	-	-	-	2	537	28			
East India Company's Territories, Singapore and Ceylon	186	75,461	4,638	-	-	-	197	90,833	5,829			
Sumatra	-	-	-	-	-	-	1	279	21			
China	30	29,308	2,649	-	-	-	16	8,887	632	4	1,476	64
Java	5	1,901	99	2	584	31	11	2,766	161	4	1,623	76
Philippine Islands	6	1,586	85	1	372	18	3	728	46			
Ports of Siam	-	-	-	-	-	-	1	337	20			
New South Wales	42	12,400	672	-	-	-	90	29,567	1,766			
British Northern Colonies	1,905	524,606	23,270	-	-	-	1,880	503,393	23,315			
British West-Indies	918	246,605	13,367	-	-	-	900	246,609	13,836			
Hayti	13	4,928	113	-	-	-	49	7,728	454	2	391	23
Cuba, and other Foreign West Indies	35	7,152	359	5	1,367	54	57	16,765	960	11	3,236	146
United States	281	91,658	4,078	492	204,529	8,417	387	133,754	6,217	546	220,913	9,761
Mexico	35	6,893	366	2	490	23	29	5,502	314	2	490	24
Guatemala	2	272	17									
Columbia	36	7,459	414	-	-	-	18	3,880	203			
Brazils	140	29,371	1,515	3	508	26	176	41,151	2,101	3	854	42
States of Rio de la Plata	58	10,120	596	-	-	-	48	9,206	513	3	840	41
Chili	27	6,341	338	4	1,074	55	28	6,532	385			
Peru	15	2,768	167	-	-	-	11	2,176	135			
The Whale Fisheries	107	34,161	3,993	-	-	-	99	33,014	4,275			
Isles of Guernsey, Jersey, and Man	2,380	146,543	10,103	37	5,652	286	2,141	122,365	8,841	2	249	14
Greenland (Ice)	7	902	51	-	-	-	2	231	16			
Foreign parts (not distinguished)	-	-	-	-	-	-	5	1,169	47	164	20,669	913
Totals	43,903	2,298,263	126,727	5,894	833,905	45,897	13,639	2,296,325	129,504	5,523	952,527	45,529

Account of the Number of Ships, with the Amount of their Tonnage, which entered the under-mentioned Ports in each of the 4 Years ending with 1834.

Ports.	Year ending 5th January, 1832.				Year ending 5th January, 1833.				Year ending 5th January, 1834.				Year ending 5th January, 1835.			
	British.		Foreign.		British.		Foreign.		British.		Foreign.		British.		Foreign.	
	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.	Ships.	Tons.
London	4,140	780,988	1,557	269,159	3,274	640,057	886	154,514	3,421	678,789	1,061	175,883	3,786	735,693	1,280	216,063
Liverpool	1,862	413,928	978	265,037	1,719	397,933	828	227,087	1,803	410,502	906	250,360	1,975	438,515	874	261,747
Bristol	404	76,807	97	12,387	210	16,871	29	4,352	278	51,182	24	5,569	295	56,016	52	6,933
Hull	989	189,348	725	73,547	819	148,701	460	43,960	755	142,301	610	62,403	894	168,940	626	59,904
Newcastle	432	68,973	323	33,402	506	80,285	261	31,804	425	69,293	445	45,458	466	75,352	348	37,159
Plymouth	375	43,286	45	6,824	286	32,183	14	2,910	285	30,490	22	3,815	270	27,226	26	4,601
Leith	283	43,216	170	17,156	228	36,279	106	9,949	198	31,388	150	15,875	204	33,365	168	17,927
Glasgow	92	8,702	10	1,637	78	8,123	1	51	117	11,031	1	162	146	14,535	5	878
Greenock	248	63,826	22	5,219	265	66,171	17	3,906	270	68,009	11	2,297	254	67,699	20	5,430
Cork	125	24,615	35	4,088	144	29,271	20	2,603	149	29,245	18	2,190	155	27,721	31	3,587
Belfast	120	22,519	28	5,425	145	26,947	13	2,537	153	30,733	15	2,395	153	31,081	26	4,201
Dublin	209	35,804	44	7,221	210	38,202	16	2,823	240	45,939	35	6,550	212	36,074	27	5,456

Account of the Number and Tonnage of Ships that entered the Port of London with Cargoes from Foreign Parts, specifying the Countries whence they arrived, during the 3 Years ending with 1834.

Countries.	1832.				1833.				1834.			
	British.		Foreign.		British.		Foreign.		British.		Foreign.	
	Ships.	Tonnage.	Ships.	Tonnage.	Ships.	Tonnage.	Ships.	Tonnage.	Ships.	Tonnage.	Ships.	Tonnage.
Russia	381	81,582	34	11,276	358	76,157	47	17,150	399	87,205	71	24,978
Sweden	3	513	34	9,864	12	2,686	51	15,698	22	3,848	76	22,549
Norway	1	78	81	26,427	-	-	102	31,859	15	2,157	122	38,328
Denmark	23	2,860	80	8,726	10	1,370	70	6,309	22	2,699	207	18,349
Prussia	113	16,445	117	27,901	45	6,621	130	31,486	36	6,639	125	30,622
German States	210	37,074	72	9,150	243	43,085	48	5,173	217	44,253	122	12,292
Netherlands	318	35,790	184	16,314	309	41,301	277	23,705	466	67,291	240	21,541
France	159	18,104	146	11,860	188	21,475	197	12,480	225	24,153	178	12,147
Portugal, Azores, and Madeira	248	24,802	8	906	377	37,331	4	394	361	38,504	4	519
Spain and Canaries	180	19,296	24	2,669	280	33,398	44	4,585	239	27,302	27	3,272
Italian States	101	13,811	4	614	124	18,380	8	1,808	107	16,063	19	4,903
Ionian Islands	26	3,575	-	-	33	4,464	-	-	25	3,637		
Turkey and Continental Greece	67	9,339	-	-	58	8,481	-	-	69	9,538		
Morea and Greek Islands	13	1,985	-	-	9	1,350	-	-	14	2,026		
Egypt	5	862	-	-	-	-	-	-	4	756		
Tripoli, Barbary, and Morocco	9	957	-	-	132	29,812	-	-	28	3,438		
Foreign Possessions in Asia	6	1,831	1	370	185	96,085	1	290	6	2,323	3	956
China	20	25,237	-	-	-	-	-	-	27	28,199		
United States of America	23	7,362	50	19,794	18	5,126	44	18,463	24	7,116	51	20,053
Foreign West Indies	43	8,934	14	4,124	35	6,963	7	2,073	29	5,648	5	1,367
Foreign Continental Colonies in America	76	14,916	2	500	75	14,394	1	258	85	16,172	4	758
Totals	2,025	325,299	851	150,425	2,491	448,479	1,031	171,731	2,423	398,967	1,254	321,642

Ship-building. — London, Sunderland, Newcastle, Hull, Liverpool, Yarmouth, &c., are the great ship-building ports. The business has of late increased very rapidly at Sunderland, so much so that while only 60 ships of the burden of 7,560 tons were built in that port, in 1830, no fewer than 109 ships of the burden of 24,519 tons were built in it in 1832. Ships built in the Thames enjoy the highest character; and, generally, those built in the southern and western ports are said to be superior to those built on the Tyne and the Wear, at least for those purposes for which the best ships are required. Within the last dozen years many steam boats and other craft have been built in the Clyde. At a rough average it is believed that the cost, including outfit, of the new ships annually sent to sea, may be taken at from 10*l.* to 12*l.* a ton.

Classification of Ships. — Until very recently ships, how much soever they might differ in other respects, were classified at Lloyd's with reference solely to their age and the place where they were built. Thus, supposing two ships were launched about the same time in the Thames, the Wear, or any where else, they were enrolled together in the *highest* class in Lloyd's Register, and stood there for a certain number of years, how different soever they might have originally been, or how different soever they might afterwards become! And underwriters and merchants seeing them thus standing together, and

having no other test of goodness to which to refer, insured and employed the one on the same terms as the other! It is unnecessary to dwell on the preposterous absurdity of such a system. Practically it operated as a high bounty on the building of defective, or, what are called, *slop-built* ships; and there cannot be a doubt that it has tended materially to depreciate the character of our mercantile marine, and to multiply shipwrecks, which have increased to a frightful extent. We are, therefore, glad to have to state that a new system of classification is now in the course of being introduced; by which the place of ships on the register will be made to depend, not on their age, or the place where they were built, but upon their actual condition.—(For full details as to the old and new system of classification, see *Supplement to Commercial Dictionary*, Art. SHIPS.)

Numbers, &c. of Persons engaged in Manufactures and Trade in 1831.

We have already given detailed estimates, formed from the best accessible materials, of the number of people employed in the principal manufactures and trades. The following table embraces most of the information to be found in the late census in reference to that subject. We have subjoined a column representing the profits of trades and professions for 1814–1815, as determined by the Property Tax Commissioners.—(See Table on the opposite page.)

A specification is given in the returns obtained under the census of 1831 (vol. ii. pp. 1044—1051.), of the various trades, and the number of individuals in each, that make up the total of those (1,159,867) included in the column of retail trade and handicraft. But no dependence can be placed either on this specification, or on the distinction between those employed in manufacture and the making of manufacturing machinery, and those employed in retail trade and handicraft. It is impossible, in fact, in many cases, to distinguish between manufacture and handicraft; and we have access to know that the same description of persons who were classed, by certain overseers employed to take the census, under the general head of manufacturers, were classed by others under some special head of handicraft. This is the only way, indeed, in which we are able to explain some of the statements in the table referred to in the population returns. According to that table it would appear as if there were only 295 males, of 20 years of age, in England and Wales, employed as bleachers, and *one* in Scotland. It is also stated in the same table, that there is not a single male musical-instrument maker in Scotland; that there is only *one* seal engraver in England, and *three* in Scotland, and so forth! It is to be hoped that when a new census is taken, it will not be left to the overseers and others engaged in taking it to say who are, or who are not, manufacturers, for this can lead to nothing but contradiction and error; but that means may be devised, by putting a few plain questions, incapable of being misinterpreted, for procuring a correct return of the individuals engaged in the principal businesses carried on in the country. This is *all* that should be attempted; and this much might be very easily accomplished.—(For further information as to this subject, see the *Edinburgh Review*, No. 123. Art. 9.)

Account exhibiting the Number of Families principally employed in Trade, Manufactures, and Handicraft; the Number of Males, of 20 Years of Age and upwards, employed in Manufactures, or in making manufacturing Machinery; the Number of such Males employed in Retail Trade, or in Handicraft, as Masters or Workmen; the Number of Capitalists, Bankers, Professional and other Educated Men; and the Profits of Trade, Professions, &c., in 1814–1815.

ENGLAND.

Counties.	Families chiefly employed in Trade, Manufactures and Handicraft.	Males employed in Manufacture or in making Manufacturing Machinery.	Males employed in Retail Trade, or in Handicraft, as Masters or Workmen.	Capitalists, Bankers, Professional and other Educated Men.	Profits of Trade, Profession, &c., as determined by the Property Tax Returns in 1814-15.
					£.
Bedford	5,137	38	5,509	577	97,848
Berks	9,884	521	10,758	1,447	299,994
Bucks	8,395	369	8,604	1,176	243,256
Cambridge	8,213	39	8,792	1,764	254,251
Chester	34,997	13,305	22,134	2,626	287,152
Cornwall	13,382	107	15,254	2,508	253,959
Cumberland	19,026	3,103	11,186	1,802	179,853
Derby	20,788	5,863	14,787	1,829	209,988
Devon	33,359	1,221	35,284	5,907	697,359
Dorset	10,106	722	10,568	1,624	241,887
Durham	18,511	2,547	19,039	2,871	219,217
Essex	18,282	871	18,953	2,960	600,745
Gloucester	33,179	5,922	29,716	5,647	556,704
Hereford	6,105	53	7,276	911	62,039
Hertford	8,552	290	9,426	1,429	262,471
Huntingdon	2,940	-	3,443	401	108,401
Kent	29,419	476	34,257	5,303	1,622,458
Lancaster	173,693	97,517	86,079	17,614	2,283,832
Leicester	22,983	12,240	13,772	1,421	319,608
Lincoln	17,284	167	20,190	2,734	574,281
Middlesex	173,822	11,064	163,220	49,457	14,687,052
Monmouth	8,626	3,293	6,619	805	111,451
Norfolk	28,871	4,740	26,513	3,116	522,967
Northampton	12,895	582	13,841	1,264	181,835
Northumberland	14,246	1,252	17,149	2,857	441,521
Nottingham	25,378	14,260	14,083	2,093	314,159
Oxford	9,454	711	11,119	2,254	309,489
Rutland	1,192	12	1,373	159	30,927
Salop	16,210	1,353	14,461	1,948	279,182
Somerset	28,230	4,350	26,762	4,676	1,253,293
Southampton	20,983	292	25,164	3,784	918,872
Stafford	43,648	20,755	24,766	3,569	517,287
Suffolk	19,116	676	18,167	2,228	434,074
Surrey	49,616	2,065	44,139	14,235	1,583,080
Sussex	17,189	109	19,208	3,094	366,465
Warwick	45,291	11,375	32,579	4,012	665,995
Westmoreland	4,116	1,074	3,621	602	51,892
Wilts	15,627	3,192	15,089	1,792	380,482
Worcester	19,030	8,024	13,693	2,085	274,458
York, East Riding	10,828	175	12,917	2,398	
— City and Ainsty	3,890	211	4,069	589	1,717,155
— North Riding	11,998	1,008	12,749	1,870	
— West Riding	118,733	74,669	60,109	8,354	
Totals	1,182,912	314,106	964,177	179,983	33,980,041

WALES.

					£.
Anglesey	2,141	120	2,190	252	3,998
Brecon	2,954	551	2,818	351	29,162
Cardigan	3,243	218	3,553	414	14,414
Carmarthen	5,299	292	5,586	614	30,320
Carnarvon	2,997	143	3,235	333	20,642
Denbigh	4,478	235	4,604	533	21,169
Flint	3,101	630	2,774	410	11,666
Glamorgan	8,929	1,993	7,571	1,008	103,338
Merioneth	1,815	194	1,761	145	7,322
Montgomery	4,198	1,659	3,570	418	18,749
Pembroke	4,519	151	4,785	605	43,102
Radnor	1,028	42	1,179	121	3,714
Totals	44,702	6,218	43,226	5,201	307,644

SCOTLAND.

Counties.	Families chiefly employed in Trade, Manufactures, and Handicraft.	Males employed in Manufacture, or in making Manufacturing Machinery.	Males employed in Retail Trade, or in Handicraft, as Masters or Workmen.	Capitalists, Bankers, Professional and other Educated Men.	Profits of Trade, Professions, &c., as determined by the Property Tax Returns in 1814-15.
					£.
Aberdeen	13,808	2,294	11,642	1,750	
Argyll	3,241	816	3,540	860	
Ayr	15,193	8,311	8,352	1,223	
Banff	2,456	240	2,643	343	
Berwick	1,915	399	1,994	361	
Bute	771	215	890	152	
Caithness	1,487	58	2,237	223	
Clackmannan	1,190	259	996	219	
Dumbarton	3,571	1,998	1,963	319	
Dumfries	5,788	1,602	4,471	838	
Edinburgh	21,054	1,262	25,780	8,257	
Elgin or Moray	2,540	199	2,509	340	
Fife	13,997	7,759	7,688	1,361	
Forfar	13,276	8,574	9,260	1,897	
Haddington	2,627	191	2,581	358	
Inverness	2,753	344	3,189	662	
Kincardine	2,281	726	1,612	225	
Kinross	819	562	593	94	
Kirkcudbright	2,295	529	2,299	410	
Lanark	39,692	26,627	21,940	3,569	
Linlithgow	1,891	560	1,547	233	
Nairn	487	54	532	83	
Orkney and Shetland	1,797	170	1,615	362	
Peebles	666	473	684	93	
Perth	12,815	4,942	9,965	1,619	
Renfrew	21,071	9,617	8,295	1,259	
Ross and Cromarty	2,611	382	2,751	472	
Roxburgh	2,942	1,076	3,040	466	
Selkirk	450	154	455	79	
Stirling	6,647	3,376	4,669	709	
Sutherland	409	50	664	163	
Wigtown	2,011	416	1,919	275	
Totals	207,259	83,993	152,464	29,203	2,771,305

No details.

SUMMARY OF GREAT BRITAIN.

					£.
England	1,182,912	314,106	964,177	179,983	33,980,041
Wales	44,702	6,218	43,226	5,201	307,644
Scotland	207,259	83,993	152,464	29,203	2,771,305
Totals	1,434,873	404,317	1,159,867	214,390	37,058,988

SUMMARY OF IRELAND.

					£.
Leinster	75,040	3,212	93,880	24,891	
Munster	62,285	1,018	77,280	16,825	
Ulster	88,421	20,919	96,088	13,277	
Connaught	23,613	567	31,590	6,521	
Total	249,359	25,716	298,838	61,514	

The statements in the preceeding chapters show that a very extraordinary increase has taken place since 1814—15 in the principal manufactures and trades carried on in the country, and in the number of individuals employed in them, and in the *gross* amount of profits. But it is not possible to make any correct estimate of this increase. On the whole, however, we believe that it may be supposed to be above rather than below 30 or 35 per cent.

PART IV.

CONSTITUTION AND GOVERNMENT, CIVIL AND RELIGIOUS, OF THE BRITISH EMPIRE.

CHAPTER I.—General Outline of the English Government, with a Sketch of its History.

The functions of every civil government may be regarded as two-fold,—internal and external. In the performance of the first, it has to make laws for those subject to its authority; to see that those laws are observed; and in general to manage the affairs of the state. In the performance of the second, it has to represent the community, as an aggregate body, in its intercourse with other communities, and to act as its authorised organ of communication in all international transactions. The means by which these objects are attained are said to determine the character or form of government. In the English, which is usually styled a mixed form, the legislative power is kept distinct from the executive and political: the two latter being vested in the King alone; while the legislative is vested in the great national council termed Parliament, composed of the King and the three estates of the realm, that is, of the King, and the Lords Spiritual, the Lords Temporal, and the Commons. The King is supreme, and his office hereditary. The Lords Spiritual and Temporal are the prelates and peers of the realm, comprising the principal nobility of the kingdom. The Commons consist of representatives chosen by the people, partly for counties, and partly for cities and boroughs, who are elected at the commencement of every parliament, and retain their seats for that parliament only. The Lords form one House, and sit by themselves; the Commons form another, in which they also sit by themselves. The King sits with the Lords; but he occupies his seat only on formal occasions, as when he opens the session, or gives his assent to bills which have passed the two Houses: he cannot join in any deliberation; nor is he supposed even to be acquainted with what passes, either there or in the Commons, until officially communicated to him. No law can be made, and no tax imposed, with-

out the assent of Parliament, that is, of the King, and the two houses of Lords, and Commons; and this assent must be given by each separately. The King, however, possesses a veto only; no measure can originate with him. The two Houses possess the power of originating all measures indiscriminately, with the exception of bills containing any grant of money, or imposing any new tax, which must be always introduced in the House of Commons. Parliament is called together by the King, and is prorogued or dissolved by him whenever he thinks fit. He is bound, however, to call it together "once at least in every year, and oftener if need be." A prorogation, is the continuation of the parliament from one session to another; a dissolution, is its civil death, which happens by law at the end of every 7 years from its commencement, unless it be previously dissolved by Royal proclamation. The whole of the administrative and executive duties of government are performed in the King's name. He is supposed to superintend the administration of justice, and to see that the laws are duly carried into effect. All courts of justice, as well as law officers, such as judges, sheriffs, justices of the peace, constables, &c. derive their authority from him. It is likewise the duty of the King to suppress disturbances, and preserve peace throughout the kingdom, whence it is always called the King's peace. In our foreign relations, he makes war and peace, negotiates treaties, sends ambassadors abroad, and receives them at home. As necessary to the discharge of these onerous duties, the King has the entire disposal of the national force, military as well as civil, the officers in each being appointed by him. It is a maxim of the law, that the King *can do no wrong*, in other words, that he is responsible to no one; and every thing done by him in the exercise of his authority is irrevocable, and binding on the nation. The King, however, uniformly leaves the conduct of state affairs to his ministers, a certain number of whom form what is termed the Cabinet Council, and transact every thing in his name, and with his sanction. The danger is thereby obviated of lodging so great a power in irresponsible hands: for, though the King be not, ministers are always held to be responsible for every act of government; whatever measures they assist in carrying into effect being supposed to have been taken by their advice, and to be approved by them. The legislative branch of government also possesses another check over the executive. The latter having always to apply to the former for the supplies necessary to carry on the government, its measures necessarily come under discussion, and, if need be, may be censured. In an extreme case the supplies may be withheld.

In tracing the history of the English Constitution, so uninterrupted

has been its growth, that we are almost necessarily carried back to our foreign ancestors. In their rude institutions, as described by Cæsar and Tacitus 1800 years ago, may be traced those principles of civil liberty which time and civilisation, and a happy concurrence of circumstances, have gradually ripened into the government we now enjoy. Among the Teutons, or Germans, as they are called by classical writers, all were equally free and independent. No measure was undertaken until it had been brought forward at a public meeting of the tribe. Their simple state of life rendered the continued presence of a monarch unnecessary, and a leader was chosen for the particular occasion only. It will be sufficient, however, for our purpose, to commence with the Saxons, who established themselves in England in the fifth and sixth centuries. The invaders at first founded a number of little independent states, — each marauding party probably one, — forming what is usually called the Saxon Heptarchy. In the reign of Egbert, in 827 or 828, these petty states were united into one; and from this æra the kingdom of England dates its existence among nations. The precise nature of the government established among the Saxons, between the time of Egbert and the Norman conquest, is not accurately known; but it seems to have thus early assumed a form in no small degree resembling what it has at present. The political power was vested in a king, and a national assembly termed the wittenagemote, or meeting of wise men. The king governed; but his power was not absolute, it being necessary for him on all occasions to consult this council. In the preamble to the Saxon laws, we always find it stated that they were passed with its consent; and Alfred, in the code which he drew up for the use of the nation, concludes by saying, "Then I, Alfred, shewed these to my witten, and they then said that they were all willing to observe them."* The *Saxon Chronicle*, also, gives an account of one of their kings, Ethelred, being expelled about the beginning of the eleventh century, for disregarding the advice of his witten, — much in the same way that Richard II. and James II. were, in after times, cashiered by parliament — and of his being subsequently received back by them, on condition that "he would for the future submit himself to their advice in all things." The constitution of the wittenagemote has been the subject of much dispute. The principal men in the country, without doubt, were members. Earls, bishops, and many of the thanes, — dignities which involved large territorial possessions, — had seats in it: some have thought the commons sent delegates also; but the modern refinement of representation was not

* Laws of Alfred.

likely to be understood in so rude an age. Justice was administered among the Saxons in a series of courts, rising in regular gradation one above the other, from the court of the hundred to the wittenagemote of the nation. In all the people sate as judges, some person of authority presiding; as the earl, or ealdorman, and the bishop, in the county court. As for the laws of Edward the Confessor, of which we hear so much, they were, in all probability, mostly fictitious. His reign appears, indeed, to have been to our ancestors what the reign of Saturn was to the ancients — a golden age.

The Danes, the next people whom we find in possession of the island, seem to have made little or, at least, no permanent change in the existing institutions; so that we may proceed at once to the Norman conquest under William, thence surnamed the Conqueror, in the year 1066. The Normans, as well as the Saxons, were of Teutonic extraction, though from parts considerably further to the north. Their settlement in Normandy is said to have been effected in the year 912. William, immediately on his conquest of England, introduced the feudal system; a system essentially adapted to a state of warfare, though by no means destitute of a spirit of liberty and hardy independence. Some have attempted to find traces of it among the Saxons; but this seems more than doubtful. It can scarcely, indeed, surprise us, if several things should be found in common in the institutions of two people descended from the same stock. But the feudal system most probably sprung up on the Continent, subsequently to the occupation of England by the Saxons; the predatory wars carried on there naturally giving a more military form to the institutions of an infant nation, than they took in a country less harassed by such warfare. The great object of the feudal system was mutual assistance in times of war and common danger. The whole of the lands in a country were considered as belonging to the chief or king; and were parcelled out among his followers, in consideration of their performing certain services, principally of a military nature, such as attending him with a certain quota of men in his wars, &c. To the performance of these, every one bound himself by the oath of fealty and allegiance which he took on being admitted into possession of his estate. If he failed in his duties, his lands were forfeited, and again reverted to the crown. The king was termed lord paramount, his tenants barons or vassals, and their lands feuds or fiefs. The king's immediate tenants again divided their lands to others, who swore fealty and allegiance to, and held of them, upon the same terms that they held of the king. The relation between the lord and vassal was mutual; it being as much

the duty of the lord to protect his vassal, as of the vassal to do fealty and service to his lord. Nor were the services to be performed left to the lord's caprice; every thing was fixed and ascertained: beyond such duties as were contained in the terms of his tenure, nothing could be required from the vassal but by his own consent. For this purpose, courts were held by all the feudal lords on their fiefs or manors, at which their tenants attended. All matters of general interest were there discussed, and no measure could be carried which was not assented to by the majority of those attending. These courts were termed courts baron; and the tenants who attended, the suitors, or, more generally, the baronage or homage. The lord himself only presided. The king, in like manner, also held his court for the kingdom at large, which was attended by all such as held their lands immediately of him; and as, in the above-mentioned courts, all matters relating to the respective manors for which they were held were discussed, so here all matters were discussed relating to the kingdom at large. The suitors in it were styled barons, and the collected body the baronage. This court, in the old charters, we always find designated the "*commune concilium*" of the kingdom. It was, in fact, the early parliament, and still nominally continues in the House of Lords.

From the institutions of these two people, the Saxons and the Normans, our present form of government may be considered as derived; for though the feudal system entirely superseded for a time that of the Saxons, yet the grateful recollection which the latter people, who still constituted the greater part of the nation, appear always to have retained of their former polity, had, no doubt, great influence in effecting the changes which subsequently took place.

In the further prosecution of our design, we shall, for greater convenience, divide the time embraced in this sketch into three periods: the first, which comprises the developement of the constitution, will extend from the Conquest to the wars of the Houses of York and Lancaster, in the reign of Henry the Sixth, at the commencement of which the government seems to have nearly attained its present form; the second will embrace the interval between this reign and the Revolution; and the last will thence bring us down to the present time.

I. The history of the first princes of the Norman line exhibits little else than a series of struggles between them and their subjects; the monarchs always endeavouring to extend their prerogative, and their haughty barons, backed by the people, as strenuously resisting the attempt. The charters that were occasionally forced from the monarchs were little more than acknowledgements, on their part, of

the rights of their subjects. The most celebrated of these, MAGNA CHARTA, was signed by King John on Runnymeade, on the 15th of June, 1215. The credit of drawing it up is usually attributed to William, Earl of Pembroke, and Stephen Langton, Archbishop of Canterbury and legate to the Pope. "Its language is simple, brief, general, without being abstract, and expressed in terms of authority, not of argument; yet commonly so reasonable, as to carry with it intrinsic evidence of its own fitness. It was understood by the simplest of the unlettered age, for whom it was intended. It was remembered by them; and, though they did not perceive the extensive consequences which might be derived from it, their feelings were unconsciously exalted by its generality and grandeur." (*Mackintosh, Hist. of England*, vol. i. p. 220.)

The greater part of it is directed against the abuses of the king's power, as feudal lord; but the remainder contains principles of universal application, which gives it an authority, even at the present day, in matters of constitutional law. In it we find the germ of many of our most valued institutions: thus, in the clause which declares, "that no freeman shall be taken or imprisoned, or in any manner proceeded against, except by the lawful judgment of his peers, or by the law of the land," concluding with those celebrated words, "*nulli vendemus, nulli negabimus aut differemus, rectum vel justitiam*,"—"to none will we sell, to none will we deny or delay, right or justice," we easily trace the principle of the habeas corpus, and the trial by jury. But the most important part of the Magna Charta, for our present purpose, is that which ordained, "that no scutage or aid should be imposed in the kingdom (except in certain cases, with which, as being connected with feudal tenure, we have nothing now to do) unless by the common council of the kingdom." The commons, it is true, formed, as yet, no part of this council; but it established the abstract principle, that the nation should not be taxed, except by its own consent; and it only required time, and a course of events, which were even then in progress, to raise the commons to sufficient importance to bring them within the spirit of the clause. It is not to be supposed, however, that these charters were attended with much immediate effect: no sooner were they signed, and the barons, who had demanded them, dispersed, than they were thrown aside and neglected: their very generality, indeed, rendered them but little adapted to practical purposes. They served, however, to keep alive, in the minds of the people, a knowledge of their rights and liberties, at a time when they were unable to enforce them; and, afterwards, when they acquired this ability, they were of the last importance, as constituting solemn documents, not to be denied or disputed, in which the pre-

rogatives of the crown, and the rights of the subject, were fixed and ascertained.

The common council (*commune concilium*) mentioned in them was, as already remarked, merely the king's court baron. The provision for summoning it, in the Magna Charta, is as follows: —"We will cause the archbishops, bishops, abbotts, earls, and greater barons to be separately summoned by our letters, and we will direct our sheriffs and bailiffs to summon, generally, all who hold of us in chief, on a certain day (40 days at least before their meeting), and to a certain place; and in all such letters we will declare the cause of the summons." By the greater barons, nothing more, it is probable, was meant than the more powerful ones; and a personal summons might be intended only as a mark of greater respect; unless, indeed, the distinction rested on some unknown feudal principle. All who held their lands immediately of the crown had an equal right to a seat. But in the succeeding reign of Henry this was altered, and such only as were actually summoned were permitted to attend; whence originated the mode of creating peers by writ of summons. The middle class of society formed no part of this council; nor did it, in fact, then exist. The consent of the vassal was considered as implied in the consent of his lord. But society, in England, was already rapidly changing: the working and industrious classes were, every where, rising into power and importance; a result to which many circumstances contributed. The barons, being generally in want of money, more especially those engaged in the Crusades, were obliged perpetually to resort to them for supplies; which, though it might have been dangerous absolutely to refuse, were never granted without concessions being made and privileges obtained in return. The policy of the crown made it, also, promote, as much as possible, the rise of a new order, whose power should form a counteracting influence to that of the barons, and which it might well hope more easily to control. Under these circumstances, the condition of the commons speedily improved. Communities, united for mutual protection, established themselves in various parts of the kingdom, and towns began to spring up: so rapid, indeed, was their rise, that in the reign of Edward I., in 1298, we find 236 burgesses sitting in parliament. They soon formed too powerful a body to be neglected in the perpetually occurring contests between the king and the nobility. The first occasion, on which there is undoubted evidence to prove that burgesses were actually summoned, was in 1265, during the factious reign of Henry III., when Simon De Montfort, Earl of Leicester, the leader of one of the contending parties, issued writs,

directing "the sheriffs to elect and return two knights for each county; two cizizens for each city; and two burgesses for every borough in the county." The choice of the county members seems, at this time, to have resided in the king's tenants, *in capite*, being, probably, little more than a delegation of two of themselves to represent the whole body. The direction to the sheriffs to make the returns was, no doubt, suggested by the previous method of summoning the inferior barons. The sheriff was, indeed, the officer on whom such duty naturally devolved. By whom the members for the cities and towns were returned is not so apparent; probably, it was a matter of arrangement among the inhabitants themselves, which may account, in some measure, for the different qualifications that at present exist in boroughs. No qualification seems to have been necessary for the representatives. After the parliament of De Montfort, no mention is made of the commons until the subsequent reign of Edward I., the acts in the beginning of which are said to be passed with the consent of the "commonalty;" and, for the first time, we find the king, on confirming the previous charters (25th Edward I., 1297), which all the sovereigns were required to do, acknowledging the "commonalty" as an estate of the realm, and granting to them, for himself and his heirs, that "no aids, scutages, or prizes, should be taken thenceforth but by the common assent of the realm, and for the common profit thereof." At a subsequent period (1306) of the same reign, this was further confirmed by the statute "*de tallagio non concedendo*," so called from its enacting, "that no talliage or aid should be taken without the good-will and assent of the archbishops, bishops, earls, barons, knights, *burgesses*, and other freemen of the land." The commons, indeed, appear to have been pretty regularly summoned by Edward I. It suited his policy to have their sanction to the innovations and changes he was carrying forward. It is unnecessary to specify in this place the various improvements made by this monarch in the judicial polity of the country, as we shall afterwards have occasion to mention them when treating of the judicial system. The only measure we need now notice, is the abolition of subinfeudation, — the first direct blow given to the feudal system. Previously to this, every one, on alienating his lands, created his grantee his tenant. But, by the 18th of Edward I., it was enacted, that on every alienation, the alienee should be considered as holding, not of his immediate grantor, but of the same lord and upon the same terms as the grantor himself had held." The professed intention of the statute was, to save the rights of the lords; it naturally tended, however, in the end, to break up the system altogether, though it was not till the reign of Charles II. that feudal

tenures were entirely suppressed. In the reign of Edward II. we find the knights of the shire beginning to form one body with the citizens and burgesses, and sitting and deliberating separately from the lords; a circumstance which, trifling as it appeared at the time, was fraught with the most important consequences, and has contributed, perhaps, more than any other to their power and independence. In this reign, the acts were, for the first time, headed with the present formula, and are stated to be passed "with the assent of the prelates, earls, barons, and commonalty of the realm in parliament assembled." A statute of the 15th of Edward II. (1322) declares that "the matters to be established for the estate of the king, and of his heirs, and for the estate of the realm and of the people, should be treated, accorded, and established in parliament by the king, and by the assent of the prelates, earls, and barons, and the commonalty of the realm, according as had been before accustomed." This act, as Mr. Hallam has remarked, not only establishes, by a legislative declaration, the present organization of parliament, but shews that it had existed for some length of time.* Under Edward III. the constitution was still more fully developed, and the laws began to assume that specific character, in detail, required to make them effective. By an act passed in the 4th year of his reign (1330), it was ordained, "that parliaments should be holden every year once, and oftener if need be." The offence of high treason was, also, fixed and defined (25th Edward III., 1350): a sure proof that the people had advanced considerably in civilisation and freedom, when they prescribed rules to their governors in matters so nearly concerning the royal prerogative. Arbitrary imprisonment was prohibited (28th Edward III., 1354), and no freeman was to be condemned without being brought to answer by due course of law; nor was the King's protection to hinder civil process or execution. Little else is to be noticed, till we come to the reign of Henry IV.; at whose accession, in 1399, we find parliament, as representing the estates of the realm, ratifying the abdication of Richard II., and the choice of Henry, nearly in the same way that was done at the Revolution. It might be, and doubtless was, an object with Henry to have its sanction to his usurpation; but, at the same time, the part which the legislature took must have assisted in giving it a moral influence, and in teaching it to feel its own consequence. The expulsion of Richard, though effected by the arms of Henry, was in perfect accordance with the wishes of the nation. The Commons, indeed, had previously (in 1381) laid before Richard a remonstrance, remarkable for the independent

* Constitutional History of England, vol. i. p. 4.

spirit in which it is written, and which shows they must have attained to a considerable degree of importance. — (*Rot. Parl.* vol. iii. p. 100.) In it, they tell the king, that, "unless the administration of the kingdom were speedily reformed, the kingdom itself would be utterly lost and ruined for ever." In this reign the first instance of an impeachment, which has since become the great constitutional check on the malconduct of a minister, is said to have occurred. But the most important alteration in the constitutional polity of the kingdom was made in the 7th year of Henry's reign (1405), when an act was passed, throwing open the elective franchise, for counties, to all the freeholders, and directing the method of conducting an election. This statute, indeed, with one passed in the beginning of the reign of Henry VI., which will be presently mentioned, may be regarded as the foundation of election law at the present day. The 7th Henry IV. c. 15. ordained, "that thenceforth, at the next court to be holden for the county, after the delivery of the writ of summons, proclamation should be made, in the full county, of the day and place of the parliament; and that all they that should be there present, as well suitors, duly summoned for the same cause, as others, should attend to the election of the knights for the parliament, and then, in the full county, should proceed to the election, freely and indifferently, notwithstanding any request or commandment to the contrary."

The act further directs, that the names of the persons chosen were to be written in an indenture, under the seals of all that did choose them, which indenture was to be tacked to the writ, and returned along with it to the sheriff; a form still preserved.

In the reign of Henry IV. (*Rot. Parl.* vol. iii. p. 611.), in an arrangement made between the Lords and Commons, upon some invasion of the privileges of the latter, it was declared to be illegal for one branch of the legislature to interfere in any matter under discussion in the other, until formally communicated. The right of the House of Commons to originate all money bills was also alluded to upon this occasion, in a manner which would seem to show it then existed. The evils — whether exaggerated or otherwise, we need not inquire — which resulted from the extension of the franchise, by the acts of Henry IV., were such, that it was found necessary, in the beginning of the reign of Henry VI., to pass an act (8th Henry VI. c. 7., 1429) confining the right of voting to the 40*s.* freeholders. A statute was also passed in the 23d year of the same monarch (1444), which enacted, "that knights of the shire should be actual knights, or such notable esquires or gentlemen as had estates sufficient to be knights, and by no means of the degree of yeomen." No qualification

appears to have been then required for the representatives of boroughs; nor was the number of boroughs, returning members, fixed or determined. It remained entirely in the discretion of the King to what places writs should be issued; and they were, in general, issued only to the larger and more flourishing towns. The office of member, being in those days at once expensive and inconvenient, was little sought after; and, as the constituents had always to make their representative an allowance, it was rather considered a mark of royal favour to be passed over, than as any ground for taking offence.*

Here, then, we close our review of the first of the periods referred to; at which time the constitution, perhaps, more nearly resembled what it now is, than at any subsequent period prior to the Revolution. The House of Peers, composed of barons, powerful from their territorial possessions, was at once feared and respected by the Crown. The practice of creating peers, by mere writ of summons, had, indeed, been commenced, but its influence was hardly felt. The Commons also, from their peculiar position, as holding the balance of power between the Crown and the nobility, possessed a degree of importance which they would not otherwise have enjoyed. They were courted by both parties, each of which found the advantage of keeping up an interest among them: and many curious letters are extant, showing the intrigues carried on, by the peers, in procuring or preventing the return of members. During the latter part, indeed, of the period just described, the Commons took an active part in the management of public affairs, and manifested, on all occasions, no small degree of spirit in asserting and vindicating their privileges. Their exclusive right of originating money bills, freedom of debate, and personal immunities, already existed; and the remonstrances which, from time to time, they addressed to the sovereign, show that they were a very different body from what they afterwards became. The rights of the subject were also, as far as mere laws could go, well secured. No tax could be levied, no law enacted, without the assent of Parliament. No freeman could be imprisoned, but by legal warrant, specifying the nature of his offence; and, by long-established usage, equivalent to law, he was speedily brought to trial, by means of regular sessions of gaol delivery, nearly in the same manner as at the present day. The trial was had in the public court of the county in which the offence was committed, and the question

* Andrew Marvel, member for Hull in the first parliament after the Restoration, had the last person, in this country, who received wages from his constituents. But the practice had long before ceased to be general.

of guilt was determined by a jury of 12 of the peers of the offender. At the same time, we should observe that, during this period, the liberties of the subject existed rather in theory than in reality. The administration of justice was notoriously corrupt, and acts of individual oppression were daily exercised. It was only when their rights were *generally violated*, that the people were roused to resistance. They did not yet perceive that an injury offered to one is an infringement of the rights of all. Nor did those means of communication between place and place, and of diffusing intelligence, which create and give power to public opinion, then exist.

II. In the early part of this period, which extends from the reign of Henry VI. to the Revolution, the constitution retrograded rather than advanced. The civil war, at its commencement, necessarily for a while interrupted all regular government; and when, on the accession of Henry VII., the ancient order of things was restored, a marked change in the structure of society had taken place. The great hereditary families of the feudal times had mostly disappeared; the peerage had become little more than a personal distinction, and was principally vested in the creatures of the crown; and the commons had not risen into sufficient importance to supply the place of the old nobility. In consequence of these circumstances, and of the introduction of standing armies, which took place about this time, the crown acquired a degree of authority before unknown. The reigns of Henry VII., Henry VIII., Mary, and Elizabeth, and, we may add, of James I., do not furnish a single constitutional act. The legislature seemed to be at the beck of the sovereign: so low, indeed, had it sunk, that, in the reign of Henry VIII., Cardinal Wolsey, as minister of the crown, on one occasion entered the House of Commons, and took the members roundly to task for their behaviour; and the speaker — Sir Thomas More! — went down upon his knees to make their apology. Elizabeth treated them with nearly the same indignity; and even imprisoned two of the members for daring to oppose her wishes: an example more than once imitated by Charles I. During this period the Courts of the Star Chamber and High Commission were erected; the former by Henry VII., the latter by Elizabeth. In this period, too, the doctrine of the divine right of kings, and passive obedience, sprung up; a doctrine principally advocated by churchmen, who found it more flattering to the prince, and, consequently, more conducive to their private interest, to draw their notions of civil liberty from the pandects of Justinian, than from the principles of the constitution. But this state of things was not to continue; the force of arms and superstition was soon to give

way before another and a mightier power. The art of printing — an art destined to work a mighty change in the state of mankind, and to convert, not only kingdoms, but Europe, and, it may be, in the end, the whole civilised world, into one vast literary republic — had been discovered. The insular situation of England, and the consequent peace she enjoyed, no less than the character of her new religion, which favoured the progress of free inquiry, rendered this country peculiarly fitted for the cultivation of learning and science. Grammar schools, indeed, had been every where established at the Reformation. The knowledge previously monopolised by the ecclesiastics began to be generally diffused. The classic authors of Greece and Rome breathe the purest spirit of liberty; and being put into boys' hands could not fail of having a powerful influence. Accordingly, even as early as the latter part of the reign of Elizabeth, the people were beginning to bear the yoke impatiently. In the second year of James I. the Commons presented that monarch with a memorial, which they termed their "Apology" (*Parl. Hist.* 1030.), justifying certain proceedings, at which he had taken offence, and at the same time boldly and explicitly asserting their rights and privileges; and this, too, with a force of language and a power of reasoning that show it must have been the work of no ordinary minds. After stating, at some length, their privileges and liberties, which, they affirmed, were "their right and inheritance, no less than their very lands and goods," they say, "that in that session the privileges of the House had been more universally and dangerously impugned than ever, as they supposed, since the beginning of parliaments. That, in regard to the late queen's sex and age, and much more upon care to avoid all trouble, which by wicked practice might have been drawn to impeach the quiet of his Majesty's right to the succession, those actions were then passed over which they hoped, in succeeding times, to redress and rectify; whereas, in that parliament, not privileges, but the whole freedom of the realm, had been hewed from them. What cause," they proceed, "we poor Commons have to watch over our privileges, is manifest in itself to all men. The prerogatives of the prince may easily and do daily grow. The privileges of the subject are, for the most part, at an everlasting stand. They may be, by good providence and care, preserved; but, being once lost, are not recovered but with much disquiet."

It was not, however, till the following reign that the storm, so long gathering, ultimately burst. Charles I., brought up in the notions of divine right and absolute power, could neither bring his mind to make the concessions which the times required, nor possessed sufficient energy and decision to take the measures necessary

to give him any chance of preserving what he had. He did not see that the people were only contending for rights which had always been acknowledged to belong to them; that their not enjoying them before was attributable to circumstances and a condition of society which were materially changed; and that the time had at length arrived when they were both able and prepared to enforce their rights. It was now, that the advantage of such a document as the Magna Charta became felt. Men like Hampden would have founded a free government, had they not found it in the constitution. But, as it was, they had one framed to their hands: they were attempting no innovations; they asked only for the constitution enjoyed by their fathers. The prejudices of the people, and public opinion, went along with them; a circumstance of the last moment in such a struggle. Its progress and results are too well known to make it necessary to allude to them here; and we shall merely add, in the emphatic words of Lord Chatham, "There was ambition, there was sedition, there was violence; but no man shall persuade me that it was not the cause of liberty on one side, and of tyranny on the other." The great constitutional acts passed in the time of Charles do little more than recite the old acts already mentioned, their violation, and pray that in future they may be observed. Thus, the Petition of Right (3 Charles I., 1627), the most celebrated among them, commences by reciting the beforementioned statute of Edward I., "De tallagio non concedendo," the clause in Magna Charta on the same subject, and concludes by praying, nearly in the words of those statutes, that it should, therefore, be so enacted, and that the previous violations of the former acts should not be drawn into precedent. The act for abolishing the Star Chamber (16 Charles I., 1640) in like manner sets out by reciting the clause of Magna Charta, and the acts of Edward III., which make it illegal to imprison a free man otherwise than by the judgment of his peers; and then declares that neither his Majesty nor his Privy Council have any jurisdiction, power, or authority by English bill, petition, articles, libel (which were the course of proceeding in the Star Chamber, borrowed from the civil law), or by any other arbitrary way whatsoever, to examine or draw into question, determine, or dispose of the lands or goods of any subjects of this kingdom; but that the same ought to be heard and determined in the *ordinary courts of justice*, and by *course of law*. By another act, passed in the same year with that last mentioned, the Court of High Commission was also abolished.

The military despotism which succeeded was of short duration: England had passed the period when such a government could be maintained. The Commonwealth, as it was termed, scarcely lasted

12 years: in 1660, Charles II. was recalled to the throne of his ancestors, and the old constitution of King, Lords, and Commons again established. In his reign was passed the *Habeas Corpus* Act (31 Car. II., 1677), said to be the palladium of an Englishman's liberty. By it every man illegally detained in prison, and the grounds of whose detention is questionable, may insist on being forthwith brought before a judge of one of the higher courts, to have the legality of his detainer determined; and it declares it to be illegal for the sovereign to send any British subject to prison "beyond the seas." It is a mistake, however, to suppose that this act introduced any thing new: the writ of *Habeas Corpus*, and the subject's right to it, is as old as the constitution itself; but, in the latter reigns, impediments had been thrown in the way of obtaining it, and abuses grew up which this act was intended to remove. In the reign of Charles II., military tenures, the last remains of the feudal system, were also abolished, and all freehold property put upon the same footing. (12 Charles II. c. 24.)

The right to petition the King and both Houses of Parliament, and to lay before them a full statement of the wishes, and of the real or supposed grievances, that are entertained by, or affect, one or a few individuals, or the public, is one of the most important constitutional rights of Englishmen. By it the legislature is authentically informed of the feelings and wishes of the nation on all points of public interest and importance; and the risk is obviated of its proposing, or, at all events, of its ignorantly giving its sanction to, measures opposed by any considerable portion of the people. This right, however, like all others, is liable to be abused; and has been perverted by factious persons to the forwarding of their own purposes and views. Hence it has been found necessary to subject its exercise to regulations, that have varied according to the circumstances of the times. It was placed nearly on its present footing by an act of the 13th Charles II.; and it is declared in the Bill of Rights, that the subject has, under the restraints imposed by law, a right to petition, and that he is neither to be committed nor prosecuted for so doing.

The Revolution of 1688 was little more than a repetition of what took place on the abdication of Richard II. For the third time in English history, the nation asserted and exercised the right of choosing its sovereign. But the ease with which it was effected is, perhaps, unparalleled in history, and strongly shows the high moral condition of the nation. In general, such things are done only by a convulsive effort, in the midst of violence and bloodshed: here it was effected, though resolutely and determinedly, with the utmost quiet

and order, — almost without interrupting the daily concerns of life. The measure was dictated by reason, not by passion or vengeance; nor was it resorted to until all other methods had been tried and failed.

On this occasion, before offering the crown to William, a solemn declaration of the rights and privileges of the subject was made by the Lords and Commons, as "representing all the estates of the people of this nation:" all which were subsequently ratified by Parliament in the celebrated statute (1 Will. & Mary, s. 2., 1689) known by the name of the "Bill of Rights." Like those of Charles I., it contained nothing new; but, as this is the last time that the liberties of the people, and the prerogatives of the Crown, have been defined, we shall extract from it so much as relates to them.

By the Bill of Rights it is declared —

1. That the pretended power of dispensing with laws, or the execution of laws, by regal authority, without consent of Parliament, is illegal.

2. That the pretended power of dispensing with laws, or the execution of laws, by regal authority, as it hath been assumed and executed of late, is illegal.

3. That the commission for erecting the late Court of Commissioners for Ecclesiastical Causes, and all other commissions and courts of like nature, are illegal and pernicious.

4. That levying money for or to the use of the Crown by pretence of prerogative, without grant of Parliament, for longer time or in other manner than the same is or shall be granted, is illegal.

5. That it is the right of the subjects to petition the King; and all the commitments and prosecutions for such petitioning are illegal.

6. That the raising or keeping a standing army within the kingdom, in the time of peace, unless it be with consent of Parliament, is against law.

7. That the subjects which are Protestants may have arms for their defence, suitable to their conditions, and as allowed by law.

8. That election of members of Parliament ought to be free.

9. That the freedom of speech, and debates or proceedings in parliament, ought not to be impeached or questioned in any court or place out of parliament.

10. That excessive bail ought not to be required, nor excessive fines, nor cruel and unusual punishments, inflicted.

11. That jurors ought to be duly impanneled and returned, and jurors who pass judgment upon men in trials for high treason ought to be freeholders.

12. That all grants and promises of fines, and forfeitures of particular persons before conviction, are illegal and void.

13. And that, for redress of all grievances, and for the amending, strengthening, and preserving of the laws, parliaments ought to be held frequently.

III. We come now to the consideration of the third period, which brings us down to the present time. After the conquest we saw a people deeply imbued with ideas, if not of civil liberty, at least of freedom and independence; emerging from a rude and barbarous polity we saw the constitution growing up, and taking a form given by circumstances, rather than moulded on any preconcerted plan: we saw that constitution repeatedly sanctioned by solemn acts of the legislature; and at length, under Henry IV., fixed on nearly the same basis as at present. When the civil commotions which distracted England during the long reign of Henry VI. had subsided, we found that the circumstances which led to the establishment of the constitution, and which had supported it when established, no longer existed, while the nation was unable of itself to maintain a free government. Accordingly, we saw the constitution degenerate from a limited to a nearly absolute monarchy. As society advanced, we saw the people reassert their rights, and, at length, after a violent struggle, successful in establishing them. The old form of government was restored; but, though in outward appearance the same, a great alteration had taken place in its spirit and character. The King was no longer a powerful lord at the head of his vassals, as in the first period; nor an almost despotic monarch, as in the second: henceforth he was little more than the chief officer in the state. The government was essentially aristocratical. The management of political affairs was left almost entirely to ministers, necessarily selected from among the party which happened, for the time, to predominate in parliament; and it speedily became, as at present, a matter of prudence, not to say necessity, for the sovereign to interfere as little as possible. The House of Peers consisted of the more powerful and wealthy members of the community; but, owing to the manner in which the members were chosen, the independence of the Commons was materially impaired. The great bulk of the people, at least in the early part of this period, took little interest in public affairs; and the crown and the nobility, with a few of the more wealthy commoners, contrived to get the command of a large number of boroughs, of which they nominated the members. Seats in the House of Commons became, in fact, matter of traffic; being notoriously bought and sold, and even made the subject of family settlements.

The constitutional changes to be noticed in this period are the Unions with Scotland and Ireland, which naturally tended, by consolidation, to strengthen, exactly by the converse of the principle which makes division weakness. The former of these took place in the 5th of Anne (1707), the latter in the 40th of George III. (1800). A statute was also passed in the 9th of Anne, which made a qualification of 600*l.* a year of landed property necessary for a knight of the shire; and 300*l.* for a borough member. The Septennial Act, passed in the 1st of George I., limited the duration of parliaments to seven years. In early times there seems to have been no prorogation of parliament. New summonses issued for every session; every session being, in fact, a parliament. When the practice arose of proroguing parliament, its duration depended entirely on the will of the prince. The Triennial Act (6th of William and Mary, c. 2.) had limited the duration of parliaments to three years; but it was repealed by the above-mentioned statute of George I. With the exception of these, and of various acts against bribery, — enacted, it would seem, merely to show how easily they might be broken, — we find no other measure of much importance, in a constitutional point of view, until we come to the Reform Act.

The rapid and unprecedented growth of commerce and manufactures, after the treaty of Paris, in 1763, paved the way for this act. Large manufacturing and commercial towns grew up in all parts of the country, the inhabitants of which were but little influenced by those powerful ties which generally keep an agricultural population dependent upon their superiors. With the increase of opulence and population, derived from the increase of manufactures and trade, education and a desire for political information were diffused on all sides. The press acquired great influence. Political journals were established in every considerable town, in which the conduct of public men, and the policy of all measures of government, were freely, and indeed severely, scrutinised. The wonderfully improved facilities of internal communication afforded the means of conveying intelligence, with astonishing rapidity, from one part of the country to another; so that most persons began to take an interest, not only in what was going on around them, but in public affairs, and in the concerns of the remotest parts of the empire. Prejudices of all sorts were openly attacked. The structure of the political fabric, and the rights and privileges of the different ranks and orders, were subjected to a more searching investigation; and their claim to respect began to be tried more by reference to their usefulness than to their antiquity. Public opinion became all but omnipotent; and it, rather than the House of Commons, was the real check on the executive

Under such circumstances we need not wonder that the enterprising and industrious citizens of such great manufacturing and commercial towns as Manchester, Birmingham, Sheffield, &c., felt more and more dissatisfied at being denied the privilege, possessed by so many very inferior boroughs, of sending representatives to the House of Commons. They began, during the American war, publicly to manifest their determination no longer to submit to such exclusion; and, deriving confidence from their numbers, their wealth, concentration, and intelligence, they prosecuted their claims to participate directly in the privileges of the constitution with a boldness and a power which, it was apparent, could not be long resisted. The alarms occasioned by the French Revolution, and the war that grew out of it, restrained for a while the demand for a remodelling of the representative system. But, after the peace of 1815, these demands were renewed; and the manufacturing, commercial, and monied classes having increased very greatly during the war, it became impossible any longer safely to resist their claims. A free government, to be secure, must possess the confidence of the majority of the people; and to enjoy this it must, how reluctantly soever, conform to their wants and wishes. It is idle to suppose that any particular constitutional system is absolutely perfect, or that it may be always maintained without variation. Human institutions are not destined to be immortal; and unless they be voluntarily modified and accommodated to the varying exigencies of society, the probability is that they will be violently overturned. Impressed with this conviction, a reconstruction of the representative system, on a more liberal basis, was resolved upon by parliament; and was carried into effect by the Reform Act, which proceeded on the great constitutional principle, that "*the principal places, and not the decayed boroughs, should be called upon to exercise the right of election.*"* By this act, 56 small boroughs, the representation of which was notoriously corrupt, were deprived of their members altogether; 30 others had one member each taken from them. Of the 142 members thus taken away, 65 were given to counties, and 64 to new boroughs, selected out of the largest and most flourishing of the non-represented manufacturing towns. The others were allowed to cease altogether; the deficiency in the number of the House, caused by their extinction, being made good by an equivalent increase of the members for Scotland and Ireland. In some places the limits of the boroughs were extended, and in all the elective franchise was more widely disseminated. Hence, the House of Commons has become more

* Mr. Pitt's Speech, 18th of April, 1785.

directly responsible to the electors, and, consequently, a more popular assembly than before; a change which, whatever may be its effects, was, as already remarked, rendered inevitable by the alterations that had taken place within the last 50 years in society in England, and in the distribution of wealth and power.

Such, briefly stated, is the British constitution and its history; a constitution under which the people of this island have attained a power unparalleled, perhaps, in the annals of history: "a power," to use the eloquent language of a foreigner, "to which, for the purposes of foreign conquest and subjugation, Rome, in the height of her glory, is not to be compared; which has dotted over the globe with her possessions and military posts; whose morning drum-beat, following the sun, and keeping company with the hours, encircles the earth with one continuous and unbroken strain." But it is not on her power, nor the extent of her dominions, that we would rest her greatest claim to admiration. We turn, with more pride and pleasure, to the uninterrupted course of internal peace and prosperity her people have so long enjoyed. During wars, which in turn have wasted every country around, and notwithstanding the active part Great Britain has taken in them all, the peace of her shores has never been broken. In her happy land, the inhabitants have never once been interrupted in following the daily concerns of life; the loom has never been suspended, the plough never laid up; her cities have stood unwalled and defenceless in perfect security; and generation after generation have been gathered together in her quiet churchyards, without ever having seen a soldier, except on parade, or heard the sound of cannon, except in celebration of a victory.

CHAPTER II. — PARLIAMENT, ITS CONSTITUTION, PROCEDURE, ETC.

SECT. I. *House of Lords.*

HAVING made these preliminary remarks, we now proceed to examine the different parts of the constitution in detail: and, first, of the legislative body or parliament.

In treating of Parliament, we shall first inquire into its constituent parts; secondly, its method of proceeding in transacting business; and, thirdly, the manner in which it is adjourned, prorogued, and dissolved.

The constituent parts of Parliament consist, as already said, of the King, the Lords, and the Commons.

The consideration of the King and his office comes more properly

under that part of the present inquiry which treats of the executive department of government; to which, therefore, we defer it.

The HOUSE OF PEERS, the next in dignity, consists of the Lords Spiritual and Temporal of the United Kingdom. Originally, as we have seen, this was nothing more than the King's Court Baron, and was attended by all his immediate tenants. The peerage is now, however, a mere titular dignity, conferred by the crown at its pleasure. At present the House of Lords is composed nearly as follows, though the number, of course, varies from time to time, according to the creation and extinction of peerages: —

Princes of the blood royal	4	Peers of Ireland (elected for life)	28
Dukes	21	English archbishops and bishops	26
Marquises	19	Irish representative archbishops and bishops	4
Earls	111		
Viscounts	17		
Barons	180		429
Peers of Scotland (elected each parliament)	16		

The judges also, and such of the King's counsel as are serjeants (unless they are members of the Commons, in which case their attendance is dispensed with), as well as the masters of the Court of Chancery, attend on any particular occasion, for the purpose of giving their opinion and advice on any points of law that may arise; and writs of summons are issued to them, accordingly, at the commencement of every session. They are not, however, admitted to vote. It was formerly usual to summon the secretaries, and attorney and solicitor generals; but, of late years, these being in general members of the Lower House, their attendance has been dispensed with.

The Lords Spiritual, who sit in the Upper House, are the 2 archbishops and 24 bishops of England, and 1 archbishop and 3 bishops from Ireland, who succeed in rotation, and sit for a session only, as established by the Union with that country. There being neither archbishops nor bishops in Scotland, consequently no spiritual lords are sent from it.

There has been considerable difference of opinion as to the right of the bishops to sit in parliament. Some have contended that they are to be considered as sitting there as barons by tenure, according to the feudal principles. But, passing over the question as to the existence of baronies by tenure at the present day, this reasoning cannot apply to such of the bishops as sit in the right of bishoprics created at the Reformation. The following passage on this subject is taken from the Report made in 1821 by the Committee of the House of Lords appointed to inquire into the Dignity of the Peerage: — "The right of a bishop to sit seems to be in the nature of a franchise annexed

to the temporalities of his see, founded on long custom. A bishop, therefore, does not become a lord of parliament until he has been invested with the temporalities of his see; then, and not before, is he entitled to a writ of summons to enable him to take his seat. Consecration, it must be remembered, merely confers the spiritual part of the office; the investiture puts him in possession of the temporalities. When a bishop is translated from one see to another, his right to a seat in parliament, as a franchise annexed to the temporalities of his former see, ceases, in consequence of his cession of that see from which he has been so translated, and he does not become entitled until invested with the temporalities of his new see."

The Lords Temporal comprise such peers of the realm as are lords of parliament, and are divided into Dukes, Marquises, Earls, Viscounts, and Barons. The title of duke is the highest or most dignified, that of marquis the next, and so on. Earl and baron are the oldest titles, at least as names of dignity, in the peerage, the period of their origin being antecedent to record. The titles of duke, marquis, and viscount originated in later times. The first creation of a duke was by Edward III., that of a marquis by Richard II., and of a viscount by Henry IV. These new honours sprung respectively from distinct exertions of the undoubted prerogative of the Crown, as the fountain of honour, conferring on the holders of those titles the dignity, power, and privileges of peers of the realm and lords of parliament. All peers of the realm, it is to be remembered, are not lords of parliament; but those only who claim to sit in respect of English peerages created before the Union with Scotland, or who have been created peers of Great Britain since that Union, and previously to the Union with Ireland, or who have been created peers of the United Kingdom since the last-mentioned Union, together with the representative peers of these two kingdoms.

Formerly England, Scotland, and Ireland had each its own parliament, and of consequence its own House of Peers. Subsequently to their Union the three kingdoms ceased to be distinct realms; their several parliaments being united into one, and the peers of the old kingdoms becoming peers of the new kingdom. But such only as were *peers of England* at the Union with Scotland, in 1707, were entitled to sit in the new parliament of Great Britain, the Scotch peers being represented in it by 16 of their number, chosen at the commencement of each parliament. At the Union with Ireland, in 1801, none but *peers of Great Britain* were entitled to take their seats in the new parliament of the United Kingdom, the Irish peers being represented therein by 28 of their number, chosen for life. The number of Scotch and Irish peers who were thus excluded from parliament has been since very much diminished, through the practice which has prevailed of creating them peers of Great Britain and of the United Kingdom, and so making them lords of parliament.

Creation of Peers. — Peerages at the present day are created by writ or by patent;

for those who claim by descent must suppose either a writ or patent made to their ancestors, though by length of time it is lost. The creation by writ, or the King's letter, is a mere summons to an individual to attend the House of Peers, by the style and title of the dignity which the King is pleased to confer. A patent is a royal grant to a subject of the dignity and degree of peerage. The creation by writ is the more ancient way; but it is said not to ennoble an individual, unless he actually take his seat in the house: some are of opinion that there must be at least two writs of summons and a sitting in two distinct parliaments to evidence an hereditary barony; and therefore the most usual, because the surest, way is to grant the dignity by patent, which insures it to the patentee and his heirs general or in tail, according to the limitation, though he should never himself make use of it. It is not, however, an unfrequent practice to call up the eldest son of a peer to the House of Lords by writ of summons, in the name of his father's barony, because in that case there is no danger of his children losing their nobility, as they must succeed to their grandfather. Creation by writ is said, however, to have one advantage over that by patent, viz. that a person created by writ holds the dignity to him and his heirs, without any words to that purport in the writ; whereas in letters patent, there must be words to give the inheritance, otherwise the dignity lasts only for the life of the grantee: but this, though laid down by a very high authority, seems to be a mistake. Individuals, it is to be observed, may be created noble for life only, and the dignity not descend to their heirs at all, or descend to some particular heirs only; as where a peerage is limited to a man and the heirs male of his body by his present lady, and not such heirs as he may have by any former or future wife.

The ancient method of creating peerages by tenure was laid aside at a very early period, and the better opinion seems to be that no such peerage can be considered as now existing. Several claims to peerages, founded on tenure, have from time to time been preferred; and, though it has not been actually decided that they cannot be established, none of them ever has, and the House has always been opposed to the claim. The Committee of the Lords, in their Report, before alluded to, on the Dignity of the Peerage, express themselves strongly against them. The altered circumstances of the times seem also to render such a method of creating a peerage extremely impolitic. When these peerages were created, no tenant could alienate his land without the consent of the King as his chief lord; and thus the respectability of the peerage was always insured: but this has long ceased. It has also in the same spirit been solemnly resolved by the House of Lords, that peerages are not capable of being barred, alienated, or surrendered; neither can a peer lose his nobility but by death or attainder: though there was an instance in the reign of Edward IV. of a peer being degraded by Act of Parliament, on account of his poverty, which rendered him unable to support his dignity. It has indeed been said the King himself might take away the dignity, but this is denied by later authorities. If it can be done at all, it would seem that it can be done only by Act of Parliament, as in the instance now noticed. Another question, which has frequently been agitated, but does not appear ever to have been decided, is, whether a person on whom the dignity of peer may descend, or who may be summoned to parliament, is under the necessity of accepting the honour: the unlikelihood, however, of such a dignity being forced on any one against his will, makes it improbable that such a case ever will occur. The right of creating peers is one of the King's royal prerogatives, and is exerciseable at his discretion, so that he may at any time increase their number. In Queen Anne's reign as many as 12 peers were created on one occasion.

When any one claims a peerage, the method of proceeding is, to petition the King for a writ of summons, who thereupon refers it to the House of Lords to be investigated. When a peerage, as sometimes happens, is in abeyance, as where an individual having a peerage limited to heirs general dies, leaving sisters or daughters who are co-heirs, the Crown may terminate the abeyance by selecting any one of the claimants at its discretion. If the party in whose favour the abeyance is terminated happen to be a commoner, it is done by writ directed to him in the style and title of the barony in abeyance; if he be a peer already, and has a higher dignity, in such cases the King confirms the barony to him by letters patent: and so also in the case of a female.

A newly created peer is introduced into the House between two lords, a king-at-arms bearing his patent or writ of summons; this he presents, kneeling, to the Lord Chancellor, who, having read it, congratulates the peer on his becoming a member of the House, and invests him with his parliamentary robe. The patent is then delivered to the clerk of parliament; and the oaths having been administered, the new peer is conducted to his seat. No particular form is observed on the introduction of such as claim by descent.

The Lords Spiritual and Temporal, though they differ in their creation, and in the right in which they sit, form in the House but one estate, and are blended together under the common name of Lords. A bill, for instance, passed by the Temporal Lords, in the absence of the Spiritual Lords, would be as valid as if they had been present; or as if, being present, they had all voted against it: and the same, it is conceived, would be the case with respect to a bill passed by the Spiritual Lords, in the absence of the Temporal Lords, or against their unanimous votes.

The manner of sitting in the House of Peers is as follows: — At the upper end of the room, which is of an oblong form, under a canopy of state, stands the regal chair, on which, when present, the King sits: close to him on his right, and under the canopy of state, is a seat placed for the Prince of Wales, and on his left seats for his other children. They are not, however, entitled to vote unless created peers. The present Queen, when she attended parliament on the occasion of the royal assent being given to the Dowry Bill, sate on the King's left hand. Behind the King, when he is present, stands the Lord Chancellor; when he is not present, the latter sits on a large crimson velvet cushion, called the woolsack, in commemoration of wool being the great staple commodity of the kingdom. On the right hand of the King, on chairs, are placed the Archbishops; and on lateral benches below them, the Bishops of London, Durham, and Winchester, all the rest of the Bishops sitting according to the priority of their consecration. On the King's left hand, on lateral benches also, are placed such of the officers of state as have precedence of dukes; and on the same side, the Dukes, Marquises, and Earls, according to the date of their creations. On the first bench below the woolsack, sit the Viscounts; and on the adjoining benches the Barons. By a statute of Henry VIII. the Great Chamberlain, Constable, Marshal, Lord High Admiral, Grand Master, or Lord Steward and King's Chamberlain, sit above all others of the same degree of nobility; and the Chief Secretary, being a baron or bishop, sits above barons or bishops who have none of the above-mentioned offices. The Chancellor, as has been said, when the King is not present, sits on the first woolsack under the throne, with the seals and mace by him. Though Speaker of the House by virtue of his office, he can, notwithstanding, leave the woolsack at any time, and speak in the course of a debate; which the Speaker of the Commons cannot. On seats before him, somewhat lower, sit the Judges, the King's Counsel, and the Masters in Chancery, to give their advice when required. The Clerk of the Crown

and Clerk of Parliament sit on a bench behind the table: without the bar sits the Gentleman Usher of the Black Rod, under whom is a Yeoman Usher; a Crier without and a Serjeant at Mace always attending the Lord Chancellor. In the same place below the bar the counsel and witnesses take their places, when they are heard at the bar, and such of the public as wish to be present at the debates. When the King is present with the crown on his head, the Lords are uncovered; the Judges stand until the King gives them leave to sit; they may then sit, but may not be covered until the Chancellor signifies to them the leave of the Lords. The King's Counsel and Masters in Chancery sit also, but are never allowed to be covered.

This ceremonious form, however, is never observed but on state occasions. In general the Peers, with the exception of the Bishops, who always retain their places, sit promiscuously; the Ministerial party ranging themselves on the one side, the Opposition on the other. The Treasury benches, as they are called from the Ministers occupying them, are on the right-hand side of the room. The Chancellor also, as Speaker, always retains his seat on the woolsack, except when he quits it on the House going into Committee, or for the purpose of addressing the House himself; when some other noble Lord, at his request, takes his seat for the time.

Sect. II. *House of Commons.*

The House of Commons consists of 658 members, returned by the Three Kingdoms in the following proportions: —

England and Wales 500; viz., —			
In England; for counties	144	471	
——— universities	4		
——— cities and boroughs	323		
In Wales; for counties	15	29	
——— cities and boroughs	14		
In Scotland; for counties	30	53	
——— cities and boroughs	23		
In Ireland; for counties	64	105	
——— universities	2		
——— cities and boroughs	39		
Total	658		

But though the members of the House of Commons are returned for particular districts, they are considered, when once elected, not as representing the constituents of any particular place, but the commonalty of the whole kingdom. This idea exists, however, rather in theory than in practice.

In treating of the constitution of the House of Commons, we shall consider, 1st, the qualification of electors; 2d, the qualification of members; and, 3d, the manner of holding an election.

1. *Disqualification of Electors.* — Certain persons are altogether disqualified from being electors; some for ever, as women and idiots; and others during the existence of the disability only. In the latter class are to be ranked persons attainted of treason or felony, or convicted of bribery, perjury, or subornation of perjury, minors, and aliens; the disqualification of the latter, however, ceases on their being made denizens by the

King's letters patent, or naturalised by act of parliament. To these may also be added all persons receiving parochial relief, except militia-men absent on duty, whose families may be relieved without affecting the franchise. And now, by the 23 Geo. III. c. 41., no person in any way employed in collecting or managing the duties of excise, the customs, the stamp duties, the duties on salt, on windows, or houses, or in collecting the revenues of the post office, or in conveying the mail to or from foreign parts, is allowed, while holding such employment, to give his vote, or interfere in any election, under a penalty of £100, his vote at the same time being declared void. This act, however, does not extend to persons engaged in collecting the land tax, or any other rates or duties granted by act of parliament, or to any person holding any office usually granted under letters patent for any estate of inheritance or freehold.

Qualification of County Electors.—In speaking of the qualifications of electors, we shall begin with the qualification of the electors of the representatives of the shires. The county representatives were originally, as we have seen, only a delegation from the tenants *in capite*, or, in other words, from those holding their lands immediately of the crown; after this the right of suffrage at elections was extended to all who attended the county courts; but the inconvenience being felt of permitting so wide a franchise, an act was passed in the 8th of Henry VI. limiting it to such as possessed freeholds of the value of 40*s.* a year at the least, clear of all charges. These lands, however, only confer a vote for the county within which they are situated. This qualification still exists, and may perhaps at the present day seem too low. Owing, however, to the increase of education and the more general diffusion of knowledge, the difference between a 40*s.* freeholder of the reign of Henry VI. and the present is much less than might be at first supposed. By a provision of the late Reform Act (2 Will. IV. c. 45., 7th June, 1832) no person is to vote in the election of knights of the shire, or of members for any city or town being a county of itself, in respect of any freehold lands in which he has only a life estate, whether for his own life or the lives of others, unless in actual and *bonâ fide* occupation thereof, or except they came to him by marriage, marriage settlement, devise, or promotion to any benefice or office, or unless they are of the clear yearly value of not less than 10*l.* above all rents and charges. All persons, however, in possession of such estates at the time of passing the act are expressly excepted. By the same act the elective franchise for counties has been extended to persons seised at law or in equity of any lands or tenements, of copyhold or any other tenure, for their own lives, or for the lives of others, or for any other larger estate, of the clear yearly value of 10*l.* per annum. Leaseholders of lands of that value, whatever may be their tenure, whose leases were originally created for a term of not less than 60 years, and leaseholders of lands of the clear yearly value of 50*l.*, whose leases were originally created for a term of not less than 20 years, are also now entitled to vote; as also are all persons who occupy as tenants any lands or tenements for which they are *bonâ fide* liable to a yearly rent of not less than 50*l.*; subject nevertheless to this proviso, that no person being only a sub-lessee, or the assignee of any under-lease, shall have a right to vote in respect of any such term of 60 or 20 years, unless in actual occupation of the premises.

The charges of which the lands are to be clear do not, it should be observed, include public or parliamentary taxes, church, county, or parochial rates.

Mortgagees and trustees are not entitled to vote in respect of their trust estates, unless in actual possession, or receipt of the rents and profits; nor is any freeholder to vote in a county election in respect of lands and premises in his own occupation,

and which do or might confer on him the right of voting for any city or borough; and no copyholder, leaseholder, or other tenant, is to vote in a county election in respect of lands and premises which do or might confer on him, or any other person, the right of voting for any city or borough.

Before any person can vote at the election of knights of the shire, he must have been duly registered; and no freeholder, copyholder, customary tenant, or tenant in ancient demesne, is to be so registered in respect of any lands, unless he have been in actual possession, or in receipt of the rents and profits for his own use, for 6 calendar months at the least previous to the last day of July in such year; and no such leaseholder, occupier, or tenant, is to be so registered in respect of any lands he may so hold, unless he shall have been in actual possession, or in the receipt of the rents and profits for his own use, for 12 calendar months at the least next previous to the last day in July in such year: all lands or tenements, however, which may come to any person at any time within the above-mentioned periods, by descent, succession, marriage, marriage settlement, or promotion to any benefice in the church, or any office, are excepted; and for these a person may have his name registered as a voter at any time, notwithstanding ever so short a possession.

Whatever may be the amount of property which a person possesses in any one county, it confers only a single vote: the same person may, however, possess votes for different counties, if he happen to have lands of a sufficient value within each of them.

Qualification of Electors in Boroughs.—The qualification for electors in cities and boroughs depends on different principles: the most prevalent qualification, formerly, was the freedom of the places; but it differed much in different places, according to their respective charters, customs, and constitutions. In most, the right of voting vested in the freemen or liverymen; but in others it vested in the burgage tenants; and in others again, all who occupied a house or tenement were entitled to vote. By the late act, however, most of these qualifications have been abolished; and now no person is entitled to vote in the election of members for any city or borough except in respect of some right conferred by the act, or as a burgess or freeman, or (in the case of a city or town being a county of itself) as a freeholder or burgage tenant: provided nevertheless that all the present electors shall continue during their lives to exercise their right, at least if they so long remain qualified, according to the usage or custom of their respective cities or boroughs, or according to any law then in force, and shall also duly comply with the provisions of the act in regard to registration; but no person is to be registered in any year, unless he shall on the last day of July in such year be qualified in such manner as would entitle him to vote if such day were the day of election and the act had not been passed, nor unless such person, where his qualification shall be in any city or borough, shall have resided therein for 6 calendar months next previous to the last day of July in such year, or within 7 statute miles of the place where the poll should heretofore have been taken, nor unless such person, where his qualification should be within any place sharing in the election for any city or borough, should have resided for 6 calendar months within such place, or within 7 statute miles of the place mentioned in conjunction with such place; and if any person neglects to have his name registered for 2 successive years, his franchise is lost, unless such omission arises in consequence of the elector having received parochial relief, or in consequence of absence in the naval or military service of his Majesty

Under the new franchise, which alone exists in the newly created boroughs, and which is given to all the older ones (with the exception of the two Universities of Oxford and Cambridge, in the representation of which no change has been made),

in addition to the other qualifications previously existing, all persons who occupy within any city or borough, as owners or tenants, any house or other building, being, either separately or jointly with any land within such place, occupied therewith by them as owners, or occupied therewith by them as tenants under the same landlord, of the clear yearly value of not less than 10*l.*, are, if duly registered, entitled to vote in the election of a member or members for such city or borough: no person, however, is entitled to be registered in any year, unless he have occupied such premises for 12 calendar months previous to the last day of July in such year, nor unless such person, where such premises are situate in any parish or township in which there shall be a rate for the relief of the poor, shall have been rated in respect of such premises, nor unless he shall have paid on or before the 20th day of July in such year all the poor rates and assessed taxes which may have become due in respect of such premises previously to the 6th day of April then next preceding. It is also necessary for them to have resided in the place for which they claim to vote 6 months previously to the 6th day of July in such year, or within 7 statute miles of it. It is not necessary, however, for them to have resided the whole of the time on the same premises; it is sufficient if the premises are *within* the borough, and have been occupied in immediate succession, and that all the rates and taxes have been paid: neither is it necessary that a person should be sole occupier, provided the premises be of sufficient value. If persons are passed over, the act gives them a power to insist on being rated; with this provision, that where under any act of parliament the landlord is liable for the poor's rate, the fact of rating the tenant, though the tenant insist on being so rated, shall not be taken to exempt the landlord from his liability in case the tenant fail to pay.

The act also declares, that in every city or town being a county of itself, in the election of members for which freeholders or burgage tenants, either with or without any superadded qualification, have a right to vote, every such freeholder or burgage tenant shall have a right to vote, if duly registered: but no person is to be registered in any year in respect of any freehold or burgage tenement unless he shall have been in actual possession, or in receipt of the rents and profits thereof for 12 calendar months next previous to the last day of July in such year (except where the same shall have come to him by descent, succession, marriage, marriage settlement, demise, or promotion to any benefice in the church or to any office), nor unless he shall have resided for 6 calendar months previous to the last day of July in such year within such city or town, or within 7 statute miles of it.

The act also makes it necessary that all burgesses or freemen, or freemen and liverymen, shall be duly registered; but no such person is to be so registered unless he shall on the last day of July in such year be qualified in such manner as would entitle him then to vote if such day were the day of election, nor unless he shall have resided for 6 calendar months next previous to the last day of July in such year within such place, or within 7 statute miles of the place where the poll may theretofore have been taken. No person, however, elected or admitted a burgess or freeman since the 1st day of March 1831, otherwise than in respect of birth or servitude, is to be entitled to vote as such, or to be registered; nor is any person to be so entitled as a burgess or freeman in respect of birth, unless his right be originally derived from or through some person who was a burgess or freeman, or entitled to be admitted as such, previous to the 1st day of March 1831, or from or through any person who since that time should become a burgess or freeman in respect of servitude. Neither is any person to vote in the election of members for any city or borough (other than a city or town being a

county of itself, in the election for which freeholders or burgage tenants have a right to vote) in respect of any estate or interest in any burgage tenement or freehold acquired by him since the 1st day of March 1831, unless the same shall have come to or been acquired by such person since that day, and previous to the passing of the act, by descent, succession, marriage settlement, or promotion to any benefice in the church or to any office. It is also provided that no person shall be registered as a voter who shall within 12 calendar months next previous to the last day of July in such year have received parochial relief or other alms which by law, previously to the passing of the act, operated as a disqualification.

Subject to these alterations, all the previous laws relating to the qualifications and disqualifications of electors remain in force. Neither is any alteration made in the representation of the two Universities. In these the qualification of the electors consists in their having taken the degree of Master of Arts and being a member of convocation.

The Reform Act, it should also be observed, is confined to England and Wales, but all places within England and Wales, whether towns corporate or cinque ports, other than counties and divisions of counties, and also Berwick-upon-Tweed, are included under the terms cities and boroughs.

Registration in Counties. — The method appointed for registering the names of the county electors is as follows: — The overseer of the poor, in every parish and township throughout the kingdom, is required, on the 20th day of June in every year, to affix a notice on the door of the chapel or church, or, if there be no chapel or church, in some place of public resort, requiring all persons who claim a right to vote to send him notice of their claims on or before the 20th day of July then next ensuing. No person, however, who has once been admitted on the register need again send notice, so long as his place of abode and qualification remain the same. Before the last day of July, the overseer must make out a list of the names of the persons so claiming, as well as of those whose names were previously down. The list thus made out must contain the Christian and surname of every person so claiming, written out at full length, together with the place of his abode, the nature of his qualification, and the local or other description of such lands and tenements. If the overseer have any good reason to doubt the right of any of the persons claiming, or of any one whose name appears on the register, he writes in the margin against his name, "Objected to." The overseer is then to sign the list, and have a sufficient number of copies made, some of which are to be posted on the church or chapel door, as before required for the notices, and others to be kept in their possession for the inspection of all who may require it. Places which are extra-parochial, or where there are no overseers, are, for the purposes of the registration, to be taken as being within the adjoining parish; and if there be more than one adjoining, then within that which, according to the last census, was the least populous. Other persons, also, as well as the overseers, if they be themselves registered, are entitled to make objection to any of the others whose names appear on the same list; a notice of which must be sent to the overseer, as also to the person objected to, before the 25th day of August. The overseers are then to make out a separate list of the persons thus objected to, a copy of which is again to be posted, as required in the previous cases, and another to be kept in the possession of the overseer for inspection. On the 29th day of August, the overseers are to send a list of the voters so made out, together with another separate list of such of them as have been objected to, to the high constable of the district, for the purpose of being transmitted to the clerk of the peace; who is to make out a list of the persons objected to, and send it to the revising barrister.

Registration in Cities and Boroughs. — The method of registration in cities and boroughs is nearly similar, with the exception that the lists of such as claim to vote as being freemen are to be made out, in county towns, by the town clerks, and in London by the clerks of their respective companies. In the latter place, the copies of the lists, instead of being put upon the church door, are posted in the Guildhall and Royal Exchange. Neither is it necesary, in the case of cities or boroughs, as in counties, that the persons claiming to vote should send any notice of their claims: it is incumbent on the overseer, or town clerk, as the case may be, to register the names without any application.

Revision of the Lists. — In July and August in every year barristers are appointed, in Middlesex, by the Lord Chief Justice, and in the other counties, or divisions of counties, as the case may be, by the senior judge of assize, — to revise the lists as well of the borough as of the county voters. These barristers are to make their circuits, of which they are required to give three days' notice at the least, as also of the different places and times where and when they intend holding their courts, within their several districts, between the 15th of September and the 15th of October, both inclusive: the lists are then to be submitted to them, in the counties, by the clerks of the peace, and in the boroughs by the town clerks or the returning officers, together with separate lists of those whose votes are objected to; and the latter are called upon to prove their qualification; which if they fail to do, their names are expunged. The barristers, however, have no power to strike out the names of any person not objected to, though they may expunge the name of any person who may have died since the insertion of his name; as they also may the name of any person not properly described, unless this be the fault of the overseer: they may also rectify an error apparent on the face of the lists, or insert the names of such as have been improperly omitted; but these must have previously given due notice of their claim to the overseer. These lists, when so settled by the revising barrister, are signed by him, and transmitted, if for a county, to the clerks of the peace, for the purpose of being kept among the records of the sessions. Copies of them, however, are first to be made into books provided for the purpose, which are to be delivered, on or before the first day of October, to the sheriffs or under-sheriffs. The lists of the voters in cities or boroughs are delivered to the returning officers, who have copies of them made in books in like manner. These books into which the lists have been so copied, and not the original lists themselves, the act declares to be the register of electors to vote at any election between the 1st day of November in the year in which such registers shall have been made, and the 1st day of November in the succeeding year. The overseers, clerks of the peace, and returning officers are also required to make out printed copies of the lists, to be disposed of at a reasonable price to all wanting them.

To defray the expenses incurred in carrying the provisions of the act into execution, all persons claiming as voters in counties, on giving notice of their claims, are to pay 1*s.* to the overseer; and in boroughs, all electors whose names are down in the list, are to pay 1*s.* annually. The surplus of the monies so collected, after defraying the expenses of the registration, to be applied in aid of the poor rates. All expenses incurred by the clerk of the peace of any county or district, in causing the lists to be copied out and made in a register or otherwise, are to be defrayed by the treasurer of the county or district, the account having been first laid before the justices at the quarter sessions. The expenses of the revising barristers are paid out of the treasury.

2. *Qualifications of Representatives.* — The same disqualifications, which disable a person from being an elector, disable him also from being a representative; with this

addition, that an alien cannot, even though naturalised, sit in parliament, as neither can any of the 15 judges, or the judges of session, justiciary, or exchequer in Scotland, nor persons in holy orders. The following persons are also disabled by act of parliament; viz.: all persons concerned in the management of any duties or taxes, created since 1692 (except the commissioners of the treasury), commissioners of prizes, transports, sick and wounded, wine licences, navy, and victualling; secretaries or receivers of prizes, comptrollers of the army accounts; agents for regiments, governors of plantations and their deputies; officers of Minorca or Gibraltar: officers of the excise and customs; clerks or deputies in the several offices of the treasury, exchequer, navy, victualling, admiralty, pay of the army or navy, Secretaries of State, salt, stamps, appeals, wine licences, hackney coaches, hawkers and pedlars; and all persons holding any new office under the Crown, created since 1705, and all persons enjoying any pensions under the Crown, sheriffs of counties, and mayors, bailiffs, and other returning officers, are also ineligible for their respective jurisdictions: but the sheriff of one county is eligible as the representative of another. Neither is any registrar for registering the memorials of deeds, &c. within the West or East Riding of the county of York, or his deputy, capable of being elected; nor any contractor with the officers of government, or with any other person, for the service of the public, so long as he holds any such contract, or derives any benefit from it. If any member accept any of these situations, or any other office of profit from the Crown, except an officer in the army or navy accepting a new commission, his seat is vacated: in the latter case he is capable of being re-elected. In addition to those mentioned, many other public officers are disqualified; as the judges of the Bankrupt Court, the commissioners of the poor laws, &c. Indeed of late years the practice has been, on creating any office, to attach this disqualification. Persons convicted of bribery at any election, or of treating the electors with meat and drink, are, also, incapable of sitting in that parliament. But, with these exceptions, all persons may sit in parliament of common right; that is, provided they possess the necessary qualification; which, in the case of county representatives, consists in having been in possession of landed estates, whether freehold or copyhold, of the value of 600*l.* a year, at the least, for seven years previous to the time of his election. A mortgagee in possession is also held to come within the meaning of this qualification. In the case of borough representatives, the estate of the value of 300*l.* a year is sufficient; nor is any previous possession necessary. If a person who is not so qualified is elected and returned, the return is void. By a statute of Anne, any person who shall appear as a candidate, or who shall be proposed to be elected, shall, upon reasonable request made to him at such election, or before the day fixed in the writ of summons for the meeting of parliament, by any candidate, or any two or more persons having a right to vote at such election, swear to his qualification; which oath is to be returned into the Court of Chancery or King's Bench, within three months after the election, under a penalty upon the sheriff of 100*l.*, half to the informer, and half to the poor; and if the candidate so required refuses to take the oath at the time of election, or before the day in the writ mentioned for the meeting of parliament, his election is void; and now, by the 33 Geo. II. c. 10., every person chosen to serve as member of parliament must swear to his qualification before he sits at a debate in the House, or votes; and shall give in a roll, or schedule, containing the particulars of which the same consists, and where situate, or his election shall be declared void, and a new writ shall issue. By the Act of Union with Ireland, it is declared, that the qualification in respect to property of the members elected for that country shall be the same as is provided by law in the cases of elections for counties, cities, and boroughs in

England, subject, nevertheless, to be altered by act of parliament. These landed qualifications, however, are not required in the case of the eldest sons of peers, or of persons qualified to be knights of the shire, nor for the members of the two Universities. The right of the Universities to send members does not appear to be older than the time of James I., though there is an instance in the reign of Edward I., when a parliament was summoned to consider of that King's title to the crown of Scotland, of writs being issued to Oxford and Cambridge, requiring the former to send 4 or 5, and the latter 2 or 3, of their most discreet and learned lawyers, for that purpose. But James first indulged them with the privilege of constantly returning 2 of their own body to represent the interests, if they may be so termed, of the estate of letters.

3. *Method of holding an Election.*—Thirdly, and lastly, we have to consider the method of holding an election: for this purpose let us suppose the parliament dissolved, and the usual summons calling a new one to be issued. The summons is a warrant, or bill, signed by the King, addressed to the Lord Chancellor, or the Lord Keeper of the Great Seal, as the case may be, directing him, on the receipt of it, to cause the usual number of writs to be made out and sealed under the great seal; and this he is required to do, by statute, without delay. Between the testes of the writs so to be issued, and the time of their return, a space of 40 days must intervene. The writs, however, are only issued by the Chancellor, on the first summons of the parliament; if a vacancy occurs during the sitting of parliament, a warrant issues from the Speaker, under the order of the house, to the clerk of the Crown in Chancery, directing him to issue a new writ for the election of a member to fill up the vacancy. The Speaker is also empowered by statute, during any recess for the space of 20 days or more, whether under prorogation or adjournment, in case any vacancies occur, on certificate thereof being made to him, signed by two members, to issue his warrant in like manner for filling them up; and, to obviate any inconvenience that might occur from the death of the Speaker, his seat becoming vacant, or his absence from the realm, he is to nominate a certain number of members to execute the powers given to him by the act; 14 days' notice, however, must be given in the London Gazette of such intention; but such writ need not issue unless 14 days would expire between the delivering the certificate and the next meeting of the House. The writs thus issued are directed to the sheriffs of the different counties, who, on the receipt of them, send their precepts, under their seals, to the proper returning officers of the cities and boroughs within their respective jurisdictions, commanding them to elect their members.

The returning officers in the new boroughs are settled by the act.

In the counties palatine, the writ is directed to the chamberlain, his lieutenant or deputy, who issues his precept to the sheriff; in that of Durham it issues to the bishop or his chancellor. In the Cinque Ports, it is directed to the warden, except for the election of Dover, where it is delivered to the constable of Dover.

The county elections must be proceeded with by the sheriffs in person: the writ itself does not direct the time, place, or manner of election with minuteness; but these are supplied by several statutes, which ordain, that the sheriff shall, within two days after the receipt of the writ, cause proclamation to be made, at the usual place of election, of a special county court, to be holden there for the purpose of such election only, on any day (except Sunday), not later than the 16th day, nor earlier then the 10th, from the day of making such proclamation. The county court is a court held every month, or oftener, by the sheriff, to try little causes, not exceeding the value of 40*s*. It is held in what part of the county he pleases to appoint for that

purpose: but for the election of the knights of the shire, it must be held at the most usual place. These courts seem always to have been held, as they still continue to be, in the open air.

The election of members for cities and boroughs must take place within eight days from the receipt of the precept, four days' notice being previously given. The persons chosen are then to be returned with the precept to the sheriffs. The place of election must be within the district, and ought to be within the Guildhall.

When the time and place of election, either for counties or boroughs, have been fixed, all soldiers quartered in the place are to remove, at least one day before the election, to the distance of two miles or more; and not to return till one day after the poll has ended. Riots have been frequently determined to make elections void. By vote of the House of Commons, to whom alone belongs the power of determining contested elections, no lord of parliament, or lord lieutenant of a county, has any right to interfere in the election of commoners; and, by statute, the lord lieutenant of a county shall not recommend any member for it. If any officer of the excise, customs, stamps, or certain other branches of the revenue, presumes to intermeddle in elections, by persuading or dissuading any voter, he forfeits 100*l.*, and is disabled from holding his office. It has also been enacted, that no candidate shall, after the date, or teste, as it is called, of the writs, or the issue of the summons to the Chancellor ordering them, or after any vacancy (if the parliament be sitting), give any money or entertainment to the electors, or promise to give any, either to particular persons, or to the place in general, in order to his being elected, on pain of being incapable to serve for that place in that parliament. And if any money, gift, office, employment, or reward be given to any voter, at any time, in order to influence him to give or withhold his vote, as well he that takes as he that offers such bribe forfeits 500*l.*, and is for ever disabled from voting and holding any office in any corporation, unless, before conviction, he shall discover some other offender of the same kind, and then he is indemnified for his own offence.

On the day fixed for the election, the returning officer first takes an oath against bribery, and for the due execution of his office. It is then usual, in cases where a contest is expected, for the persons intending to be candidates to be proposed by their respective friends; after which they usually address the electors themselves. The returning officer then requires a show of hands on behalf of each candidate, and declares in whose favour it appears to be. If any of the candidates who are in the minority upon the show of hands are dissatisfied with the result, they may demand a poll. It may be here proper to observe, that a candidate is not precluded from offering himself, because he is not put in nomination the first day: a new one may be proposed at any time during the poll; but the electors who have once given their suffrages cannot retract or alter them in consideration of that or any other circumstance. The poll is conducted in pursuance of the regulations established by the late act.

The Method for County Polls is as follows: — The polling is to commence at nine in the forenoon of the next day but two after the day fixed for the election (unless such next day be a Saturday or Sunday, in which case it is to commence on the Monday following), at the principal place of election, and at the several places to be appointed throughout the county or division; and such polling is to continue for two days only, being successive days, for seven hours on the first day, and eight hours on the second day of polling: no poll is to be kept open later than four in the afternoon of the second day. For the purpose of more conveniently taking the poll, the act directs that the counties and divisions of counties should be divided into districts,

and that in each district there should be appointed a convenient place for taking the poll. These districts and places were settled by an act passed in the same session as the Reform Act: in no county or division, however, were there to be more than 15 such districts.

At every contested election for any county, riding, parts, or divisions, the sheriff or deputy is, if required by any candidate on the day fixed for election, and, if not required, may, if it appear to him expedient, cause a reasonable number of booths to be erected at the principal place of election, and at each polling cause to be affixed on the most conspicuous part of each booth the names of the parishes, townships, and places for which such booth is allotted; no person is to vote for any property in any parish, township, or place, except at the booth allotted thereto, and, if no booth be so allotted, then at any booth for the district; and, in case any parish, township, or place is not included in any district to be appointed, the votes for property in any place so omitted are to be taken at the principal place of election for the county or division. The sheriff is empowered to appoint deputies to preside, and clerks to take the poll, at the principal place of election, and also at the places of polling. The poll clerks are, at the close of each day's poll, to enclose and seal their books, and publicly deliver them to the sheriff, under-sheriff, or deputy, presiding, who is to give a receipt for the same, and is, on the commencement of the second day's poll, to deliver them back, so enclosed and sealed, to the persons from whom he received them. On the final close of the poll, every such deputy is forthwith to deliver or transmit the poll-books so enclosed and sealed, to the sheriff or under-sheriff, who is to receive and keep all the poll-books unopened until the re-assembling of the court on the day next but one after the close of the poll; unless the next day but one be Sunday, and then on the Monday following; when he is openly to break the seals, and cast up the number of votes, and openly declare the state of the poll, and make proclamation of the members chosen, not later than 2 o'clock in the afternoon of the same day.

In all matters relative to the election of knights of the shire, the sheriff, his under-sheriff, or any lawful deputy, may act in all places having any exclusive jurisdiction or privilege as he may act in any part of such sheriff's jurisdiction.

The method for taking the poll in cities and boroughs is nearly similar to that in the counties. The 5 & 6 William IV. cap. 36. limits the polling to 1 day: the poll to commence at 8 o'clock in the morning, and to close at 4 o'clock in the afternoon.

The returning officer is to cause booths to be erected for the different parishes or districts, either in one or several places, as he may think expedient, and these, again, are to be divided into compartments, so that no more than 300, and, if required by a candidate, not more than 100, are to vote in any one compartment. The names of the parishes or districts for which such booths are allotted are to be affixed on the most conspicuous part; and no person is allowed to vote except at the booth appropriated to the particular parish or district in which his property is situated; or, in case he does not vote in respect of property, at the booth of the place in which his residence is stated to be in the register. In case no booth should be allotted to a parish or district, the votes of persons voting in respect of property situated in such parish or district, or having their abode therein, may be taken at any booth, as also may the votes of freemen residing out of the city or borough. Notice is to be given of the situation and allotments of the booths, two days before the poll. If there be more booths than one, the returning officer may appoint a deputy. The same provisions with respect to the poll-books, are, *mutatis mutandis*, the same as those already mentioned with respect to counties.

Both in the counties and boroughs, if riot or violence occur, the sheriff or other returning officer, or his deputy, has the power of adjourning the poll until the day following, and so from day to day, until the disturbance ceases, and the days on which the adjournment takes place are not to be reckoned.

The booths are erected at the joint expense of the candidates; but, in order to prevent imposition, it is enacted, that no booth erected for a county election is to exceed 45*l.*, and no booth erected for a city or borough election, 25*l.* The deputies also appointed by the returning officer are to be paid 2 guineas, and the clerks 1 guinea; also at the expense of the candidates.

Special provisions are made as to the mode of polling for Monmouth, Swansea, Brecon, and the other Welsh boroughs, which it is not necessary here to notice.

Any sheriff or other returning officer, barrister, overseer, or other person whatever, contravening or disobeying the provisions of the act, is made liable to a penalty of 500*l.*, the action to be brought by the party aggrieved, and to supersede any other mode of redress or action. It is also enacted that no misnomer or inaccurate description of any person or place in any schedule, or in any list or register of voters, or in any notice, shall deprive a person of his vote, provided the person or place be so designated as to be generally understood.

All inquiry and discussion at the time of the election is done away with. The only questions permitted to be asked, and these the returning officer, if required on behalf of any candidate, is to put to any voter at the time of his tendering his vote, are—"Whether he is the same person whose name appears on the register? Whether he has already voted at that particular place, or elsewhere, for the same county or borough (as the case may be)? and, whether he continues to have the qualification for which his name was originally inserted as a voter?" These questions, it is made an indictable misdemeanor, to answer falsely. The returning officer or his deputy has also a power, if called upon by any candidate, to administer an oath, or, in the case of a Quaker or Moravian, an affirmation, to the same effect; but no other oath, at least as to the voter's right of franchise, is permitted: the oath or affirmation, however, against bribery, &c. remains unaltered. Scrutiny is also abolished: any person, however, whose name may have been omitted from any register of voters by the decision of the barrister revising the lists, may tender his vote at an election, stating the names of the candidates for whom he tenders such vote, and the returning officer or his deputy is to enter upon the poll-book every vote so tendered; distinguishing the same from the votes admitted and allowed. Upon a petition to the House of Commons, complaining of an undue election, the correctness of the register may be impeached; and the name of any person improperly inserted, or improperly omitted, in consequence of the wrong decision of the revising barrister, may, upon the report of the Committee appointed to inquire into the petition, be ordered to be omitted or inserted, according as the case may require; and the return may either be amended, or the election declared void, or such other order made as may seem proper. This clause, however, extends only to omissions made in consequence of a wrong decision of the revising barrister. No provision seems to be made for the case of voters omitted through the negligence or ignorance of overseers, or other subordinate officers.

The election being closed, the returning officer in boroughs returns his precept to the sheriff, with the persons elected, which he must do 6 days, at least, before the return of the writ. The sheriff then returns the whole, together with the writ for the county, and the knights elected thereupon, to the clerk of the crown in chancery, before the day of the meeting, if it be a new parliament, or within 14 days of the election if it be an occasional vacancy; and this under a penalty of 500*l.* The cer-

tificate of election is required to be the same both in county and borough elections: it consists of indentures under the seals of the electors, and of the returning officer, who seals a counterpart. This practice has been constantly complied with, and seems analogous to proceedings of inquisition before the sheriff and coroner, who return their inquests under seal. Any other mode of making a return has been held bad, though it admits of being amended.

If the sheriff do not return such knights only as are duly elected, he forfeits, by the old statutes of Henry VI., 100*l.*; and the returning officer in boroughs, for a like false return, 40*l.*; and they are, besides, liable to an action, in which double damages may be recovered. Any person bribing the returning officer forfeits also 300*l.* But the members returned by him are the sitting members, until the House of Commons, upon petition, adjudge the return to be false or illegal. The form and manner of proceedings on these petitions will be described afterwards, in speaking of the proceedings of the house.

A member, when once duly elected and returned, becomes the representative of the commons of the United Kingdom of Great Britain and Ireland; and not the delegate or agent of the particular place for which he takes his seat. He cannot resign nor be discharged; the only method by which he vacates his seat, is by death, accepting some office under government, by being summoned to the House of Peers, or by expulsion.

Sickness was formerly urged as an excuse, and it was held that an incurable disease would be a sufficient ground for granting a prayer to be removed; but the modern opinion seems to be, that the difficulty of ascertaining the degree of infirmity, which is to render a member incapable of serving, is such as to render it unadvisable to admit it as a ground of exemption.

In the case of death, the method of proceeding in filling up the vacancy has been already mentioned.

Peerage, of course, is a disqualification, though the eldest sons and heirs apparent of peers are allowed to sit.

Accepting places of trust and profit under the crown vacates a seat; and some placemen are incapable of being re-elected, others not. Of late years, the strictness of the law which prevents a member from vacating his seat has been evaded, by obtaining from the minister an appointment to the stewardship of the Chiltern Hundreds, or the manor of East Hundred.

The House of Commons claim a right of expelling members for disgraceful or otherwise improper conduct. In the case of Mr. Wilkes, who, having been expelled, was again returned, it was made a question how far he was capable of sitting in the same parliament. The Commons, however, compromised the matter, by ordering the proceedings to be expunged from the journals, and re-admitting him.

If a person be elected for 2 places, as sometimes happens, he may choose for which he will serve, and a new writ issues for the other; but a member who has once taken his seat cannot resign it for the purpose of being elected for another place.

Privileges of Members of Parliament. — It remains only to say a few words on the privileges of members of parliament, the most important of which is their right of exemption from arrest. This is to be considered, however, as extending only to arrest on civil process, as for debt, trespass, or contract; not for treason, felony, nor breach of the peace, within which term is included publication of libels: neither is a member protected against being compelled, by process of the courts at Westminster, to obey a writ of habeas corpus, directed to him: it has also been determined,

that privilege of parliament forms no ground of exemption from arrest for contempt in disobeying a decree of the court of chancery.

Peers, however, it should be observed, enjoy this privilege in right of their peerage, not as lords of parliament; all peers, therefore, whether Scotch or Irish, are alike entitled to it. Members of the House of Commons enjoy it only during the actual session of parliament, and 40 days before and after, to allow them sufficient time to come and go, which, as parliament is seldom prorogued for more than fourscore days at a time, amounts, in fact, to the whole continuance of parliament.

The same regard for the person and character of a member of parliament makes it a high offence to assault or slander him, and the House of Commons has frequently taken upon itself to punish such offenders; but the more usual way now is for the House to give directions to the attorney-general to prosecute, or to petition the King for that purpose.

Statistical View of the Representative System. — A Committee of the House of Commons, appointed in 1834, to inquire into the expenses at elections, gave in their report some valuable statements and tables, affording a pretty complete view of the statistical details connected with our representative system. The number of voters in the returns printed by the Committee, are those in the first registry after the passing of the Reform Act; but they do not differ materially from the present numbers; and the statements founded on them give a sufficiently correct view of the representation as compared with the population, &c. We subjoin the general results as given by the Committee, and the details on which they are founded.

	Registered Electors.	Members.
In England, 40 counties have -	344,564	144
And 185 cities, boroughs, and towns have -	274,649	327
Total number for England -	619,213	471
In Wales, 12 counties have -	25,815	15
And 14 districts of boroughs have -	11,309	14
Total number for Wales -	37,124	29
In Scotland, 30 counties have -	33,115	30
And 76 cities, boroughs, &c. have -	31,332	23
Total number for Scotland -	64,447	53
In Ireland, 32 counties have -	60,607	64
And 34 cities and towns have -	31,545	41
Total number for Ireland -	92,152	105

Giving, in England and Wales 636,337, and in the United Kingdom 812,936 registered electors in 1832; and taking the total number of representatives at 658, the proportion will be, at an average of Great Britain, 1,303, and in the United Kingdom, 1,235 electors to 1 representative. It is to be observed, that some of the electors are entered as such for more than one place in the same county, and also as electors in different counties and in different boroughs, and in some instances under more than one qualification in the same city or borough, so that the exact number of persons having the suffrage of electing representatives to parliament cannot be accurately ascertained, but they must be considerably within the numbers above

stated. The committee recommend, that in all future registrations, if practicable, the name of an elector should only be counted once in each register, by which, hereafter, the number of electors in each place will be ascertained; but there does not appear to be any means of ascertaining in how many counties, cities, boroughs, or universities any one elector may be registered. It is, therefore, only an approximation to the exact number of persons entitled to the suffrage, that can be obtained in the present state of the registration; but the numbers entitled to vote in each county, city, or borough, may be accurately ascertained.

The proportion of electors in England and Wales to the population, both in the cities and boroughs, is nearly the same; and the proportion of electors to the males of 20 years of age and upwards, and to the gross population, is also nearly the same.

Taking the gross population of the 40 counties in England (exclusive of the population of the cities, boroughs, towns, and universities which are represented) at 8,336,263, and the number of electors at 344,564, there will be 1 elector in every 24 of the population; whilst the gross population in the 185 cities, boroughs, and towns being 4,754,742, and the number of electors 274,649, there will be 1 elector in every 17 of the population.

In Wales, the county population is 609,871, and the electors 25,815, so that there is 1 elector in every 23 persons; whilst, in the 14 districts of boroughs, the population being 196,314, and the electors 11,309, the proportion is 1 in 17.

In Scotland, the county population is 1,500,107, and the number of electors 33,115, giving 1 elector in every 45 persons; whilst in the boroughs, the population being 865,007, and the electors 31,332, the proportion is 1 in every 27 persons.

In Ireland, the population of the 32 counties is 7,027,509, and the number of electors 33,115, giving 1 elector in every 115 of the population; whilst the 34 cities and boroughs, with 31,545 electors, and a population of 739,892, have 1 elector in every 22 persons.

The total population of the 114 counties in the United Kingdom being 17,473,750, and the number of electors 464,101, the proportion of electors is 1 in every 37 persons; whilst the population of the 309 cities and boroughs of the United Kingdom being 6,655,952, and the number of electors 348,835, the proportion is 1 elector in every 18 persons.

The population of Great Britain being 16,262,301, and the electors 720,784, the proportion is 1 elector in every 22 persons.

The population of Ireland being 7,767,401, and the electors 92,152, the proportion is 1 elector in every 86 persons.

In the United Kingdom the proportion of electors to the gross population is 1 elector in every 29 persons.

The 114 counties in the United Kingdom send 253 members, and the 309 cities and boroughs send 405 members to parliament. In Great Britain there are 1,303 electors, at an average, for every representative; whilst in Ireland there are only 877 electors for every representative. In England there is 1 representative in every 27,794; and in Wales 1 in every 27,799 of the gross population; whilst in Scotland there is 1 representative in every 44,624; and in Ireland 1 in every 73,975 of the gross population. If the whole population of the United Kingdom were equally divided into 658 districts, there would be 26,519 persons for every representative.

The number of electors being 619,213, and the number of males of 20 years of age and upwards in England being 3,199,984, the proportion is 1 elector in every

5 males of 20 years of age and upwards; in Wales nearly the same proportion obtains. In Scotland, there is 1 elector in every 8; and in Ireland, 1 in every 20 males of 20 years and upwards. There being 5,812,276 males of 20 years and upwards in the United Kingdom, and 812,916 electors, the average proportion is 1 elector in every 7 males, or 14 in every 100 males.

An average of the counties in England gives 2,302 electors for every member; and of the cities and boroughs 839. In Scotland the counties average 1,103 electors for every member; but there are some, as Bute, have only 279, and Caithness only 201 electors. The cities and boroughs average 1,362 for one member; but some of them, as the Dysart district, have only 507; and the Haddington district only 545 electors. The average of the 32 counties in Ireland gives 947 electors for every member, and the 34 cities and boroughs 769 electors for every member. — (*Report*, p. 6, & 7.)

Changes effected in the Places returning Members by the Reform Act. — In ancient times, the king, as has been already stated, by virtue of his prerogative, used to issue writs of summons to such of the larger towns as were flourishing at the time, passing, at his discretion, over any that had fallen into decay. This power is said to have been virtually put an end to by the Unions with Scotland and Ireland, when the relative number of members sent by each kingdom was determined. This prerogative, however, it is to be observed, had not been exercised for long before. Counties might also, at the time the system of representation began, have been more suitable divisions than they are now. From the change of times and circumstances, great inequalities had grown up. These were partially remedied by the late Reform Act. It entirely disfranchised the following boroughs, which were insignificant in point of population, and had become mere nomination boroughs: —

Aldborough,	Downton,	Milborne Port,	Stockbridge,
Aldeburgh,	Dunwich,	Minehead,	St. Germains,
Amersham,	East Grimstead,	Newport,	St. Mawe's,
Appleby,	East Looe,	Newtown,	St. Michael's, or
Beeralston,	Fowey,	Newton,	Midshall,
Bishops' Castle,	Gatton,	New Romney,	Tregony,
Blechingley,	Great Bedwin,	Okehampton,	Wendover,
Boroughbridge,	Haslemere,	Old Sarum,	Weobly,
Bossiney,	Hedon,	Orford,	West Looe,
Bramber,	Heytesbury,	Plympton,	Whitchurch,
Brackley,	Higham Ferrers,	Queenborough,	Winchelsea,
Callington,	Hindon,	Saltash,	Wooton Basset,
Camelford,	Ilchester,	Seaford,	Yarmouth, Isle of
Castle Rising,	Lostwithiel	Steyning,	Wight.
Corfe Castle,	Ludgershall,		

Other boroughs, again, were deprived of one of their members: these were, —

Arundel,	Clitheroe,	Great Grimsby,	Launceston,
Ashburton,	Dartmouth,	Helston,	Liskeard,
Calne,	Droitwich,	Horsham,	Lyme Regis,
Christchurch,	Eye,	Hythe,	Malmesbury,

Midhurst,	Reigate,	Thirsk,	Wilton,
Morpeth,	Rye,	Wallingford,	Woodstock.
Northallerton,	Shaftesbury,	Wareham,	
Petersfield,	St. Ives,	Westbury,	

Of the 142 members thus taken away 65 were given to counties, including the Isle of Wight, and the remainder, with the exception of 13, were given to the following places, viz.: —

Two Members each,

Birmingham,	Finsbury,	Manchester,	Stroud,
Blackburn,	Greenwich,	Mary-le-bone,	Sunderland,
Bolton,	Halifax,	Oldham,	Tower Hamlets, and
Bradford,	Lambeth,	Sheffield,	Wolverhampton.
Brighton,	Leeds,	Stockport,	
Devonport,	Macclesfield,	Stoke-upon-Trent.	

One Member each,

Ashton-under-Lyne,	Frome,	Merthyr Tydvil,	Wakefield,
Bury,	Gateshead,	Rochdale,	Walsall,
Chatham,	Huddersfield,	Salford,	Warrington,
Cheltenham,	Kendal,	South Shields,	Whitby, and
Dudley,	Kidderminster,	Tynemouth,	Whitehaven.

Besides these entire alterations, other boroughs were extended so as to increase the elective body.

The 13 members unaccounted for in the above summary were transferred, 8 to Scotland and 5 to Ireland.

SECT. III. — *Procedure in Parliament.*

When the two houses have assembled at Westminster, on the day appointed for their meeting, it is usual, in the case of a new parliament, to prorogue it for a few days, to give the members of the Commons time to take the requisite oaths before the lord steward. As soon as this has been done by a sufficient number, and they have again assembled, a message is sent requiring their attendance in the House of Lords, when they are informed, by the Chancellor, that his Majesty will defer declaring the causes of calling parliament together until they have made choice of a Speaker, which they are accordingly directed to do, and to present the person chosen on a day mentioned. Formerly, the Speaker used generally to be a person holding office, but in modern times he is allowed a handsome salary, and, on his retiring, an address is usually presented to the King, requesting that some mark of the royal favour may be conferred upon him. On the day appointed, the King proceeds to open the session, and this he does either in person or by commission, and until it be done no business can be transacted; nor is the session, indeed, commenced. When the King opens the session in person, he comes down to the

House of Lords in state, and takes his seat upon his throne, having his crown upon his head, and arrayed in his robes and other insignia of royalty, and attended by his officers of state; the Lords, being arranged in order according to their degree, having also their robes on, but all remaining uncovered. The King then commands the gentleman usher of the black rod, through the deputy lord great chamberlain, to let the Commons know "it is his Majesty's pleasure that they attend him immediately in that house." On receiving the message, the Speaker, with a train of members, comes up to the House of Lords, and, if it be a new parliament, informs the King of the election which has been made: in doing which, it is customary for him to make a speech, expressing his doubts of his own ability, and praying his Majesty to direct the Commons to fix on some more eminent individual. The King, of course, approves the choice; after which the Speaker formally requests, for himself and the house, the enjoyment of their ancient privileges, viz. — 1. Freedom of access to the sovereign. 2. Pardon for himself if he should mistake or misreport any matter that he is ordered to declare. 3. Freedom of speech. And, 4. Exemption from arrests and suits for the members and their servants; adhering to the old form, although protection to the latter be not now allowed.

This form being gone through, the King addresses the two houses, and states his reasons for calling them together; but that part of his speech which relates to money matters only, he addresses specially to the Commons.

The King then retires, and the Commons follow immediately after. The Lords also adjourn for a while to unrobe, and, on the house being resumed, the Lord Chancellor reports his Majesty's speech, which is read by the clerk, and some peer moves that a humble address be presented, expressive of their thanks. On returning from the Upper House, it is usual, in the Commons, for form's sake, to read a bill, in order to preserve some supposed privilege of not giving priority to the King's speech. They then, in the same manner as the Lords, vote an address. The address having been agreed upon by the respective houses, each appoints a deputation to attend the King, and learn when it will be his pleasure to receive them; and at the time appointed they are presented, the members of each house accompanying their address in a body. When the King does not attend in person, the session is opened by commissioners, appointed under the great seal for that purpose. The commissioners are, in general, the great officers of state, and all the peers, who are privy councillors, three of whom form a quorum, of whom the Chancellor is usually one. The commissioners take their seats, robed and with their hats on,

upon a bench immediately before the throne; the Commons then being summoned, the commission is read. The remainder of the proceeding is the same as when the King attends in person; his speech, or, rather, message, being read by the Lord Chancellor.

Both houses, before entering on the business of the session, appoint certain committees. Those of the Lords are the committees of privileges and for religion. Those in the Commons are for religion, grievances, justice, trade, privileges, and elections; but these have long since become mere formal appointments: committees sit in rooms near the houses, appointed for the purpose, several frequently sitting at the same time; no committee, however, can sit while that house is sitting of which it is a committee.

In the committees of the Commons, a member is usually selected as chairman for the occasion, who, like the Speaker, has a casting vote. No remuneration is made to the chairmen of these committees, except to those of supplies, and ways and means, who are, in general, remunerated for their trouble by a vote at the close of the session. The other particulars, with respect to the method of proceeding in committees, will be given afterwards.

The method of proceeding with business is nearly the same in both houses. The usual time for their assembling is 4 o'clock, but the House of Lords, on certain days of the week, meets earlier, for the purpose of transacting business in its judicial capacity. The House of Commons has also of late, in consequence of the accumulation of business, found it necessary to meet in the forenoon. In the Upper House, 3 peers constitute a quorum; in the Commons, 40 members must be present. Before any business is entered upon, by either house, prayers are read; in the Lords by a bishop, in the Commons by their chaplain, during which the doors are closed. In the Lower House, a few minutes before 4, if it be an evening sitting; if a morning one, before 12. The Speaker takes his place at the upper part of the table, on the right, that is, on the treasury side; the chaplain of the house being placed also at the upper part of the table, on the left: as soon as prayers have been read, the Speaker, standing before the chair, proceeds to count the house, when, if 40 members be present, he takes the chair, and the mace is laid before him on the table; the house is then said to be constituted. If there be not 40 members, the Speaker declares the house adjourned to the next day of sitting; and for this purpose he also takes the chair, such being the standing order of the house. In the House of Lords a peer brings in a bill at once, without leave obtained; he must, however, give notice of his intention. In the House of Commons, when the bill to be introduced relates to public matters, with the exception of supply, as will be mentioned afterwards, it is necessary for the member bringing it in to move for leave, and give notice of his intention to do so, which motion is printed in the votes, for the information of members. On the day fixed for making the motion, he briefly states the principle and object of the bill, and moves for leave to introduce it; if the house consent, an order for its introduction is made, and, at the time appointed, the bill in manuscript is brought in, with blank places left for the insertion of any thing that may be doubtful, such as dates, &c. &c. The introducer then moves that it be read a first time, which being seconded, a debate, if the bill is opposed, usually ensues; after which, the question is put, and, if carried, an order is made for the printing of the bill, and a day is fixed for the second reading. On the second reading, if necessary, the bill is committed, that is, referred to a committee, which, in matters of small importance, is selected

by the house for the purpose; or, in matters of greater moment, consists of the whole house. To form a committee of the whole house, the Speaker quits the chair, and sits and may debate as a private member: when the house sits in committee, the mace is always taken off the table. In the House of Lords some peer, as already stated, is appointed chairman of committees for the session. In the Commons a member is chosen for the occasion. In these committees, the bill is debated clause by clause, amendments made, the blanks filled up, and sometimes the bill entirely new modelled. If there be not time for the consideration of all the clauses at one sitting, the Speaker, having again taken the chair, asks leave to sit again. The principal advantage of a committee consists in the greater freedom of debate; a member, for instance, in committee is not restricted to speaking once only on the same point: a committee, too, admits of inquiries being made, and questions being put on each separate clause, which could not generally be done in the house itself. It can, however, do so, but this seems the only exception, on a report being brought up from a committee. When every clause has been gone through and agreed on in committee, the report is brought up, that is, the bill, with all the amendments made in it, and a day fixed for taking the report into consideration. Frequently, indeed, the Speaker at the time takes the chair, and, the house being then resumed, progress is reported. When the report is brought up, at a future day, the house considers the whole bill again; and the question may, if it be deemed necessary, be put upon every clause and amendment. When the house has agreed or disagreed to the amendments of the committee, and sometimes added new amendments of its own, the bill is ordered to be engrossed, which is done on one or more long rolls of parchment, sewed together, and a day is fixed for the third reading. If the third reading be agreed to, the house proceeds to consider whether it shall pass the bill to which it has agreed; when further amendments are not unfrequently again made. The Speaker then, as on its passing the former stages, opens the contents of the bill, and, holding it up in his hands, puts the question, whether it shall pass. In general these several readings take place at stated intervals; but precedents are not wanting, in cases of emergency, of bills being read twice, and even three times, on the same day.

When a bill has thus passed through the house in which it was introduced, if it be the House of Lords, it is indorsed "*soit baillé aux Commons*," and sent down to the latter by their messengers accordingly. A bill that has passed the Commons is, in like manner, written on by the clerk within, on the top of the right-hand side, "*soit baillé aux Seigneurs*." It is carried up to the Lords by some of the members of the house, and not, as in the case of a bill sent to the Commons, by an official messenger. It then passes through the same forms in the house to which it is sent, as it did in the house from which it came (except the engrossing, which has already been done): if it be rejected, no more notice is taken, but it passes *sub silentio*, to prevent unbecoming altercations. If it be agreed to, the house in possession of the bill sends a message to the other house, stating that they have agreed to the same. The House of Lords, should they send the message, retain possession of the bill, unless it be a money bill; but if the House of Commons send the message, the bill is returned to the Lords. Should any amendments, however, be made by the house to which the bill is carried, such amendments are sent, along with the bill, to receive the concurrence of the house from which it was brought; and if that house agree to them, it sends a message to that effect to the other. If the amendments are disagreed to, a conference is requested between the houses, at which, in general, the matters in dispute are adjusted; if, however,

both houses remain inflexible, the bill is dropped. All bills that have passed both houses are deposited with the peers to await the royal assent, except in the case of a bill of supply, which, after receiving the concurrence of the Lords, is always sent back to the House of Commons. When a bill has passed one house, and been sent to the other, and the provisions of the bill have been founded, not upon facts of general notoriety, but upon special facts that must necessarily be proved by evidence, it is usual for the house of parliament to which the bill is sent, to ask, either by message or at a conference, the grounds and evidence on which the bill has passed; and this evidence, whether arising out of papers or from the examination of witnesses, is immediately communicated: but, farther than this, it is irregular for either house to inquire why the house in which the bill took its rise passed it in such or such a manner; nor would it be permitted to acquaint the house to which it is sent that it had passed unanimously. A bill may be opposed in any of the three stages, but the most usual time for opposition is at the second reading. If the principle of the bill, however, is not objected to, it is usual to allow it to pass this reading also, for the purpose of its being committed, in the hope of removing in the committee the objectionable parts. When a bill has been thrown out, it ought not, in strictness, to be again brought in during the same session. This rule, however, is often evaded.

In passing private bills, great care is used that no one may be taken by surprise. Such bills are not allowed to be introduced on mere notice of motion, but a petition must be presented, in which the grievance desired to be remedied must be set forth. This, if it be founded on facts in their nature disputable, is then referred to a select committee, who examine into the matter alleged, and, if necessary, hear counsel for and against the petition. When the committee have made their report, then, or, if no reference be necessary to a committee, upon the petition itself, leave is given to bring in the bill.

To hinder the time of the house being too much occupied by private bills, some period is usually fixed at the commencement of a session, after which no petitions for private bills are received.

In the House of Lords, if the bill begin there, it is referred, when of a private nature, to two of the judges, to examine the facts alleged; to see that all necessary parties consent; and to settle all points of technical propriety. In many cases, where different interests are affected, as in inclosure bills, it is necessary that notice should be previously given to all parties interested, both of the intention of applying for a bill and of its purport and effect. Besides which, three days must elapse; and the committee to which it is referred, and which must be composed of 8 members at least, are not allowed to sit until a week's notice has been given by a paper posted up in the lobby. If the opposition be to the principle, or the whole, of the bill, the parties opposing it should present a petition to be heard against it by counsel at the bar of the house, before the second reading; though instances have occurred of this indulgence being granted on bringing up the report of the committee, and even on the third reading. If they do not object to the principle of the bill, but to particular clauses only, they should pray to be heard against it before the committee, to whom their petition, together with the bill, will then be referred.

Each house has an equal right to originate and pass bills; with these exceptions, that the Lords claim the exclusive right of originating bills for restitution of honours or in blood; and the House of Commons all bills of supply, in respect to which the Lords are to have no other voice than as one branch of the legislature, by their assent, to give the measure the authority of a law. Bills, also, which have for

their object the regulation of such matters as relate more particularly to one house than the other, ought, it would seem, to originate with that house to which they more peculiarly belong.

There is, however, one bill which begins neither with the Lords nor Commons, but with the Crown, and that is a bill for a general pardon. This is first signed by the Crown: it is then transmitted to both houses of parliament, in each of which it is only read once. It must afterwards, however, receive the King's assent, like other public bills.

With regard to the important privilege assumed by the Commons of introducing all bills relating to money matters, we may observe that it was a standing order of the house, so long ago as in the year 1667: — "That no motion or proposition for an aid or charge upon the people should be presently entered upon, and that all such propositions should receive their first discussion in a committee of the whole house." Upon the same principle, viz. "that when money is to be raised upon the subject, the proposition should have the fullest and most frequent discussion," the Commons have determined "that no bills for any work proposed to be carried on by tolls or duties, to be levied in particular places, should be brought in until the petition for the bill had been referred to a committee and examined." And not only must all propositions with respect to the public supply be discussed, but they must also take their rise in a committee of the whole house.

The way is, for the Chancellor of the Exchequer, at the commencement of the session, to move that the house resolve itself into a committee to take into consideration that part of the King's speech relating to supply; whereupon the house accordingly resolves itself into a committee, which is termed a committee of supply. The part of the King's speech relative to the estimates is then read, and the quantum of supply is moved and considered. The committee of supply, as it is appointed only to consider of the supplying the aids which are demanded by the Crown, can properly have no cognisance of any matters but such as are laid before the house by the direction of the Crown: if it be thought necessary, therefore, to raise a sum of money not required by the Crown for public service, such grant cannot be moved in the committee of supply. Another rule, however, requires that the house shall receive no petition for any sum of money relating to public service, but what is recommended from the Crown; and the uniform practice has been to apply this order to all petitions for public money, whether the grounds of such applications be public or private: it is usual, therefore, for all grants of the public money indiscriminately to come recommended by a message from the Crown, which at once gives the committee cognisance of them. When the resolution that a certain sum be granted is reported to the house, and agreed to, it is then referred to another committee, which is also formed of the whole house, termed the committee of ways and means, to consider how the grant is to be raised. This committee, like the former, being for a specific purpose, cannot consider the means of raising any sum not included in the vote of the committee of supply; and, to enable them to do so, the matter must be specially referred to them by the house. The better way, however, seems to be to refer it to a committee of the whole house, appointed for the particular purpose. Another rule of the House of Commons is, that, pending a bill for imposing any tax or duty, no petition against it shall be received; the object of which seems to be principally one of convenience, in order that the house may not be interrupted by the endless numbers of petitions which might be sent up from persons who might happen more immediately to suffer. This rule, however, does not extend to petitions from the city of London, in consequence of the different

usage of the house with respect to them. The contents of a petition from the corporation of the city of London are not opened by a member, as on other occasions, but the petition is brought at once to the bar of the house by the sheriff, and, without any question being put, he delivers it to the clerk, who brings it to the table, after which, the sheriffs having withdrawn, the speaker puts the question whether the petition be read; the question, as a matter of course, is carried in the affirmative, and then, and not until then, the house become acquainted with its contents, and dispose of it as they think proper. Petitions may, however, be presented in any subsequent session, praying the repeal or reconsideration of any taxes imposed in a former one.

Bills of supply, like all other bills, are sent up to the Lords for their assent; but they are not permitted to make any alteration or amendment in them: if they do, the bill, on being sent back to the Commons, is rejected, as a matter of course, without entering into a consideration of the amendments. The following rules, taken from *Hatsell's Precedents of Parliament*, contain the principal distinctions as to the right of interference by the Lords: —

1st. That in bills of aid and supply, the Lords, as they cannot begin them, so neither can they make any alterations, either as to the quantum of the rate, or the disposition of it; or, indeed, any amendment whatever, except in correcting verbal or literal mistakes; and even these the House of Commons direct to be entered specially in their journals, so that the nature of the amendments may appear, and that no argument prejudicial to their privileges may be drawn afterwards from their having agreed to such amendments.

2d. That in bills which are not the special grant of supply, but which, however, impose pecuniary burdens on the people, such as bills for turnpike roads, for navigations, for paving, for managing the poor, &c. &c. for which purposes tolls and rates must be collected; in these, though the Lords may make amendments, their amendments must not make any alteration in the quantum of the toll or rate, the disposition or duration of it, or the persons, commissioners, or directors appointed to manage it. In all the other parts and clauses of these bills, not relative to any of these matters, the Commons have not objected to the Lords making alterations or amendments.

3d. Where the bills, or the amendments made by the Lords, appear to be of a nature which, though not immediately, yet, in their consequences, may bring a charge upon the people, the Commons have denied the right of the Lords to make such amendments, and the Lords have acquieseed.

Lastly. The Commons insist, that the Lords have no right to insert in a bill pecuniary penalties and forfeitures; or to alter the application or distribution of the pecuniary penalties or forfeitures which have been inserted by the Commons.

In consequence of these rules, the Commons have sometimes attempted to tack, as it is termed, bills relating to entirely distinct matters to bills of supply, in the hope of having them carried through the Lords, unaltered, under the cover of the latter. This practice has, however, always been considered as highly irregular, and has not for a long time been resorted to.

During a debate, the members speak standing up and uncovered. They address themselves to the Speaker, and not to the house at large.

It is a rule in both houses, that no member shall speak twice on the same question, unless it be to explain; except in committee, when the strict rules of debate are not preserved.

If an amendment be proposed, a member, after he has previously spoken on the

original, is entitled to speak again upon the question of the proposed amendment, which is always put before the original question.

No member is allowed to interrupt another who is in possession of the house, unless he rise to speak to order, which may be done at any time.

When any member is personally interested in a question, it is a rule that he withdraw, and, in matters of consequence, this rule is always strictly enforced.

To preserve the freedom of debate, and secure the independence of the two houses, it is established, that no notice whatever is to be taken by any of the branches of legislature of what is passing, or, indeed, of what has passed, before the others, until formally communicated in the due course of parliamentary proceeding.

No member of either house is allowed to state what the King's opinion may be on any measure while under consideration, nor even, indeed, to mention his name. The King may, however, if personally interested, or if the measure relate in any way to his prerogative, direct his ministers to signify his acquiescence; and it is, as has already been stated, a standing order of the House of Commons, that it will receive no petition for money relating to public service, unless it come recommended from the Crown: as soon, therefore, as any petition of this nature is offered to the house, it is necessary that the Chancellor of the Exchequer, or some other member, should acquaint the house, that his Majesty, having been informed of its contents, recommends the same to the consideration of the house.

If, in the course of a debate in one house, any reflections have been made upon the other, the member making them ought to be called to order at the time; no notice can be taken afterwards. Attempts have been sometimes made by one house to obtain redress from the other, but always without success.

In a parliamentary sense, indeed, each house is ignorant of what takes place in the other; the proceedings in both being supposed to be always carried on with closed doors. It has, it is true, long been the custom to admit strangers, and, in particular, to afford every facility to persons engaged in reporting the speeches of the members, for the satisfaction of the public; but this is not supposed to be known to the house, and it is in the power of any member to insist at any time on having the house cleared. When the house divides, the rule is always enforced.

If it be observed that members stay in the country, or absent themselves from the business, it is usual to order the house to be called over; and it is also not uncommon to order "that no member shall go out of town without leave of the house, and that to be obtained on motion in the house." When any particular business of importance is coming on, a call of the house is ordered to be made, and, for the enforcing the attendance, a resolution is passed at the same time, "that such members as shall not attend at the time appointed be taken into custody." This order, however, is rarely, if ever, carried into effect. Notice is, of course, previously given to each member.

In putting the question, the rule is, that that question which is first moved and seconded is to be first put. The way is, for the member who moves to put the subject of his motion on paper, and hand it to the Speaker, who, when it has been seconded, proposes it to the house, and then the house is said to be in possession of the question. A question cannot, after it has been proposed, be withdrawn without leave of the house; but if, as not unfrequently happens, a question be proposed on which the house does not wish to give any opinion, it is avoided by some member moving to adjourn, or that the orders of the day be read, or for the

previous question; which motions take place of all others. In committee, instead of the motion to adjourn, it is usual to move that the house do resume, which amounts to the same thing.

The right, however, of making a motion for the orders of the day to be read does not hold when the house is actually proceeding upon one of them. Another way of getting rid of a question is, to propose such an alteration, by way of amendment, as is incompatible with the nature of the original question; as, that a bill be read that day six months; in which case, also, the question on the amendment takes precedence of the original motion.

In putting the question, points of great nicety occur, as to the form and method; but with these it is not worth while to trouble the reader.

The Peers vote by the words "content" and "not content;" the Commons by the words "aye" and "no." When a division takes place, the Speaker directs one party, the contents or non-contents, as the case may be, to go forth, the other party remaining on their seats. In the House of Lords, the party called upon to go forth go below the bar; in the House of Commons, they go into the lobby: nice questions arise, also, on this point, as to who are to go out and who stay in; and it seems difficult to state any rule sufficiently intelligible to persons not accurately acquainted with the practice of the house: the best, perhaps, that can be given is, that the conservative party stay in, while those who vote for change go out; at the same time, this rule is subject to numerous exceptions. In a committee, the houses divide by the one party going on one side of the Speaker, the other to the other. In the House of Lords, the votes are taken, commencing with the puisne lord. Peers, it should be observed, may, by virtue of a licence from the Crown, vote by proxy, which a member of the House of Commons cannot do, for the obvious reason, it is said, that the latter is but a proxy himself; and "*delegatus non potest delegare.*" But this reason for the privilege is no longer applicable, inasmuch as it is enjoyed by the Scotch and Irish representative peers, who are as much the delegates of others as members of the House of Commons. This privilege of voting by proxy, however, extends only to divisions of the house, and not to divisions of a committee. A peer has also, if he please, the power of entering in the journals of the house a formal protest against any measure he may disapprove, together with reasons for so protesting. When a division takes place, the houses are always cleared for the purpose, and doors closed, so as to prevent members coming in or going out; for it is an established rule, that none who did not hear the question read shall be allowed to vote; and that none who did, and were in the house at the time, should be allowed to withdraw without voting. If, from inattention, any members neglect going out when their side go forth, and remain in the house, they must be told with the party remaining in, even though contrary to their avowed opinions.

Committees. — Many of the rules relating to committees have already been incidentally noticed. Committees have power to summon and enforce the attendance of witnesses, and the witnesses attending cannot be arrested either on their coming or going; if they be, the house will, on motion, order them to be discharged. An officer may be summoned to attend with the books of a corporation, &c. &c. And if any one directly or indirectly attempt to prevent a witness from appearing or giving testimony, or tampers with him in respect of the evidence to be given, it is a misdemeanor, and the house will proceed against him with severity, as it will also against the witness himself if he give false testimony.

All committees, excepting those appointed to inquire into the return of a member, cease, *ipso facto*, on a prorogation or adjournment of parliament.

There is this difference between committees of the Lords and Commons: the former examine witnesses upon oath, which the latter cannot do; the Commons not being entitled to administer an oath, with the exception of committees appointed for considering disputed elections, as will be mentioned immediately.

Committees are in general selected and agreed upon by the houses at their discretion; but a particular method has been laid down by the 6th Geo. IV. cap. 22., consolidating and amending former acts*, for the appointment of committees to examine into questions of disputed returns. This statute orders that, if, on the day fixed for hearing the petition (which, as already mentioned, any person interested may present) against the return, 100 members or more be present, 33 are to be drawn by lot, and a list of the names being given to the parties, they withdraw, and alternately strike off 1 until the number is reduced to 11, who constitute the committee: members who have voted at the election, or who are petitioners, or are petitioned against, cannot serve; and persons of 60 years of age, or who have served before, are, if they require it, excused; as are others upon showing some good reason.

The members of the committee, thus formed, are then ordered by the house to meet within 24 hours, and proceed *de die in diem*, not being allowed to adjourn for more than 24 hours, except over Sundays, Christmas-day, and Good Friday, without leave of the house: no member can absent himself, except upon special cause verified upon oath. The committee cannot at first proceed with fewer than 9 members; but after 14 days 8, and after 25 days 7, are sufficient. This committee, unlike the others, continues to sit notwithstanding a prorogation. This committee is also empowered to examine witnesses upon oath, which, as has been said, other committees, and even the house itself, cannot do. Both houses, however, possess judicial authority so far as is necessary for investigating all matters relating to themselves or their privileges, and, with the exception above stated on the part of the Commons, as to not administering an oath, exercise all the powers requisite for that purpose, as taking persons into custody, examining witnesses, compelling the attendance of parties, the production of books and papers, and other matters of evidence; discharging, reprimanding, and, if necessary, imprisoning offenders: they may also, if they think fit, direct proceedings at law to be instituted by the Attorney-General. The House of Lords is, indeed, one of the regular courts of justice in the kingdom, which the House of Commons is not: so far, however, as relates to the power of the former in asserting and vindicating its privileges, it should, perhaps, rather be considered, like that of the House of Commons, in the light of a parliamentary prerogative, than as an exercise of its judicial functions as a court of justice.

Conferences. — A conference, if it be on the subject of a bill depending between the two houses, must be demanded by that house which, at the time of asking it, is in possession of the bill. The subject upon which conferences are most frequently demanded are where amendments have been made by one house to a bill passed by the other, to which amendments the house desiring the conference has disagreed. When either house sends a message to the other, stating that they disagree to the amendments, they ought to desire a conference; if they neglect doing so, the bill is returned, to the end that the due course of parliament, in transacting things of this nature, may be observed. If the members of the house which amends the bill are

* The most important and valuable of these, 10 Geo. III. cap. 16., has been called the Grenville Act, from its author.

not satisfied and convinced by the reasons given for disagreeing to the amendments, but perseveres in them, the form is to desire another conference, at which they, in their turn, state their arguments in favour of the amendments, and the reasons why they refuse to depart from them; and if, after such second conference, the other house insists upon disagreeing to the amendments, they demand a "free conference," at which the arguments on both sides may be more amply and freely discussed; if this prove ineffectual, the bill must be lost. The privilege of naming the place of conference belongs to the Lords, who usually fix upon the painted chamber. In demanding the conference, the subject on which it is demanded ought to be distinctly stated. Managers are appointed by the respective houses, and before they go, if it be not a free conference, the house demanding it appoints a committee to draw up the reasons which they offer in support of their measure. These reasons being reported from the committee, and agreed to by the house, are then delivered to the managers of the conference on their part, in order that they may communicate them to the managers of the conference on the part of the other house: all the managers have to do is, on the one side to state, and on the other to receive, the reasons given; the latter then communicates them to the house by which they have been sent; so that these conferences are, in fact, nothing more than a method of formally communicating the reasons of one house to the other. At a free conference the arguments on both sides are more freely discussed and gone into. In all conferences the number of the managers on the part of the Commons doubles that of the Lords. The method of holding them is nearly as follows. The Lords keep their hats on till they come just within the bar of the place of conference; they then pull their hats off, and walk uncovered to their seat, after which they put on their hats and sit down; when the conference is over, they rise up, pull off their hats, and walk out uncovered. The Commons are never covered, nor do they ever sit at a conference with the Lords: during the time of a conference the House of Commons can do no business, and the practice is, during a conference, for the Speaker to leave the chair, which he resumes on the return of the managers, as a matter of course, without any question.

It sometimes happens, for the better inquiry into the subject, that it is deemed advisable to appoint a joint committee of both houses; but the rule, that in committees so appointed, as in conferences, the number of the Commons doubles that of the Lords, makes them in many cases objectionable, since the Commons may at any time outvote the Lords. In consequence of this, separate committees have sometimes been appointed by both houses, with power to communicate, from time to time, with each other, which obviates the objections, at the same time that it preserves all the advantages, of a joint committee.

Messages. — A message from the House of Lords to the Commons is sent by two messengers, who, in matters of great moment, are two of the judges: at other times, the messengers are the Master of the Rolls, or Masters in Chancery; and sometimes one Master in Chancery, and the Clerk of the Parliaments. If the message require an answer, the messengers ought to wait in the lobby of the House of Commons to carry it back; which answer, if the Commons immediately agree with the Lords, is delivered to them; but if the Commons differ on the subject of the message, and require further deliberation, the messengers of the Lords are called in again, and told that the house will send answer by messengers of its own.

When the serjeant has informed the Speaker, and the Speaker has reported to the house, that there is a message from the Lords, there must be a question put for calling in the messenger. The admission of the messenger is much a matter of

course, but it is said it is not the practice to admit him during a debate, though there is an instance on record of its having been done.

The method of sending a message from the Commons to the Lords is by a member, who is appointed upon motion. He must, however, be accompanied with others, as the rule and practice of the Lords is, to receive no message from the Commons unless it be attended by 8 members. For this purpose, when the messenger takes the bill from the table, the Speaker calls aloud to the house, "Gentlemen, attend your messenger." In bills that have passed the house by a general concurrence, and in other messages in which the House of Commons wish to show their approbation of the measure, it is customary for a great number of members to accompany their messenger. The person selected as messenger is usually the promoter of the bill, or some one noted for his support of it. On the arrival of the messenger of the Commons being announced, the question is put by the Chancellor, as Speaker, in the same manner as in the Lower House, whether he shall be admitted; and, on being carried, the Chancellor directs the messenger of the Commons to be called in, who is thereupon introduced to the bar of the house, where he is met by the Chancellor, carrying the seals before him, who receives the message, and, returning to the woolsack, reports it to the house. A message from the King to the Commons, if it be to desire any proceeding on their part, as for an augmentation of the army or navy, or a supply of credit, &c., is always sent in writing, signed by the King in his own hand. The person bringing the message informs the house, from the bar, and then takes the message up and delivers it to the Speaker, who reads it to the house, during which the members remain uncovered.

The following table, though it refers more particularly to the House of Commons, will serve, in some degree, to give the reader an idea of the business got through by parliament in the course of a session.

Table specifying the Number of Public and Private Acts of Parliament passed in each Session from 1806 to 1831, both inclusive, the Commencement and Termination of each Session, the Number of Days and Hours of Sitting, and the largest Number of Members present at any Division.

Sessions.	Public General Acts.	Private Acts.	Year.	Session		Sitting Days.	Sitting Hours.	Largest Number of Members present at any Division or Ballot.
				Commenced.	Terminated.			
46 G. III.	158	226	1806	24 Jan.	23 July	125	645	30 May - Clause in Mutiny Bill - 381
47 G. III. (Sess. 1)	56	268	1807 (Sess. 1)	15 Dec.	27 April	86	434	3 April - Dismissal of Administration - 489
47 G. III. (Sess. 2)	78		1807 (Sess. 2)	22 June	14 Aug.	45	272	26 June - Address - 510
48 G. III.	152	234	1808	21 Jan.	4 July	111	829	29 March, At a Ballot - 358
49 G. III.	129	304	1809	19 Jan.	21 June	97	746	15 March, Duke of York's Conduct - - 497
50 G. III.	119	314	1810	23 Jan.	21 June	97	802	19 March, Scheldt Expedition - - 509
51 G. III.	128	295	1811	1 Nov.	24 July	135	588	31 Dec. - Creation of Peers by the Regent 449
52 G. III.	165	289	1812	7 Jan.	30 July	137	856	24 April - Roman Catholic Question - 519
53 G. III.	162	295	1813	24 Nov.	22 July	136	676	24 May - Roman Catholic Bill - - 501
54 G. III.	190	298	1814	4 Nov.	30 July	127	476	22 April - Lord Morpeth v. The Speaker - 385
55 G. III.	196	212	1815	8 Nov.	12 July	119	654	25 May - War against Bonaparte - 428
56 G. III.	142	163	1816	1 Feb.	2 July	91	667	18 March, Property Tax - 448
57 G. III.	132	140	1817	28 Jan.	12 July	100	587	2 June - Election of a Speaker - 470
58 G. III.	101	153	1818	27 Jan.	10 June	84	488	11 March, Indemnity Bill, Habeas Corpus 308
59 G. III.	138	208	1819	14 Jan.	13 July	118	774	18 May - Committee, State of the Nation - 54

Number of Public and Private Acts, &c. — *continued.*

Sessions.	Public (General Acts.	Private Acts.	Year.	Sessions. Commenced.	Sessions. Terminated.	Sitting Days.	Sitting Hours.	Largest Number of Members present at any Division or Ballot.
								1819.
59 G. III.—1 G. IV.	14	167	1819-20	23 Nov.	28 Feb.	34	563	14 Nov. - Address - - 536
								1820.
1 G. IV.	119		1820	21 April	23 Nov.	69		22 June - Resolution regarding Queen Caroline - 520
1 & 2 G. IV.	123	187	1821	23 Jan.	11 July	104	861½	26 Jan. - Queen's Name in Liturgy - 524
3 G. IV.	127	161	1822	5 Feb.	6 Aug.	105	858	30 April - Roman Catholic Peers in Parliament - - 498
4 G. IV.	100	167	1823	4 Feb.	19 July	96	774½	24 April - Reform of Parliament - - 454
5 G. IV.	115	213	1824	3 Feb.	25 June	86	622	11 June - Condemnation of Missionary Smith 344
6 G. IV.	134	282	1825	3 Feb.	6 July	91	687	1 March, Roman Catholic Claims - - 485
7 G. IV.	79	201	1826	2 Feb.	31 May	64	457	27 April - Reform of Parliament - - 575
7 & 8 G. IV.	75	184	1827	14 Nov.	2 July	106	645½	6 March, Roman Catholic Claims - - 553
9 G. IV.	95	175	1828	29 Jan.	28 July	111	777	26 Feb. - Corporation and Test Acts Repeal - - 435
10 G. IV.	63	205	1829	5 Feb.	24 June	79	540	18 March, Roman Catholic Relief Bill, 2° - 531
11 G. IV.—1 W. IV.	75	204	1830	4 Feb.	23 July	105	856	17 May - Jews' Relief Bill 398
1 W. IV.	27	80	1830-31	26 Oct.	22 April	90	640	22 March, Reform of Parliament Bill, 2° - 608
1 & 2 W. IV.	60	114	1831	14 June	20 Oct.	98	918	6 July - Reform of Parliament Bill, 2° 603

SECT. IV. — *Adjournment, Prorogation, and Dissolution of Parliament.*

IT remains, lastly, to describe the method of adjourning, proroguing, and dissolving parliament.

An adjournment, as the name imports, is nothing more than a continuance of the session from one day to another, and is done by the authority of each house separately every day, and sometimes for a fortnight or month together, as at Christmas or Easter; but the adjournment of one house is no adjournment of the other.

A prorogation, on the other hand, is the continuance of a parliament from one session to another; after a prorogation, all bills that are only begun, but not perfected, must be resumed *de novo* (if at all) in a subsequent session; but after an adjournment all things continue in the same state as at the time of the adjournment made, and may be proceeded on without any fresh commencement. A prorogation is either by the King's command, pronounced in his presence by the Lord Chancellor, as Speaker of the House of Lords, to both houses; or, 2., by writ under the great seal, directed to the Lords and Commons; or, 3., by commissioners appointed under a special commission for the purpose. The first is the usual way of proceeding, when the parliament is prorogued at the close of the session. Prorogation by writ does not take place, except upon the meeting of a new parliament, after a general election, and before a speaker of the House of Commons is chosen; on this occasion, when the members of the House of Commons come to the place appointed for administering the oaths, by the Lord Steward or his deputies, they are informed that the parliament is to be prorogued by writ, directed to the Lords and Commons. They then proceed directly, without entering their own house, or awaiting any message from the Lords, to the House of Peers, where the writ for

proroguing the parliament is read. Proroguing by special commissioners is the usual way, when parliament meets from time to time during the recess. Parliament is never prorogued during the whole of the recess, but for about a couple of months only; when, unless any thing particular occurs, it is again prorogued for a similar period, and so from time to time, until it meets for the usual yearly business. In times of actual rebellion, or imminent danger of invasion, if the parliament be separated by adjournment or prorogation, the King is empowered to call them together by proclamation, with 14 days' notice of the time appointed for their re-assembling.

A dissolution is the civil death of parliament, and may be effected in 3 ways: — 1. By the king's pleasure; 2. by the demise of the crown; and, 3., by length of time.

1. It is the acknowledged prerogative of the sovereign to dissolve parliament at his pleasure, and this as well during an actual session as during an adjournment or prorogation. Since the Revolution, the unvaried practice has been to prorogue the parliament in the first instance to a certain day, and then, before the time of meeting arrives, to issue a proclamation declaring it dissolved. The reason given for this is, that kings should only execute pleasant things, which a dissolution is supposed not to be.

2. The other method of dissolution, viz., by demise of the crown, formerly happened immediately on the death of the reigning monarch; but this being found inconvenient, it was enacted by the statutes 7 & 8 Will. III. and 6 Anne, that the parliament in being should continue for 6 months after the death of any king or queen, unless sooner prorogued by the successor; that, if the parliament be at the king's death separated by adjournment or prorogation, it should, notwithstanding, assemble immediately; and that, if no parliament be then in existence, the members of the last parliament should assemble, and be again a parliament.

3. A parliament may be dissolved, or expire, by length of time. By the act of the 1st of George I. the crown is restrained from continuing the existence of a parliament for a longer term than 7 years, to be calculated from the day on which by the writs of summons they were appointed to meet. This law, commonly called the Septennial Act, extended the duration of parliaments to 7 years, which, by the 6th of William & Mary, had been limited to 3. Before the act of William and Mary, which passed in 1694, there was by law no limitation of time for the duration of parliaments; the crown might have extended the duration of parliament for any term; and, in fact, the parliament which was elected in 1661, soon after the Restoration, was not dissolved till January 1678-9, having continued nearly 18 years. The acts in force before the reign of William did not limit the duration of each parliament to 3 years, but provided only that their sittings should not be suspended beyond that term.

We subjoin a

Table of the Duration of Parliaments from the 1st of Henry VIII., when Long Parliaments were first introduced, to the present Time.

Met.	Dissolved.	Existed. Y.	M.	D.
REIGN OF HENRY VIII.				
21 January, 1510	23 February, 1510	0	1	2
4 February, 1511	4 March, 1513	2	1	0
5 February, 1514	22 December, 1515	1	10	17
15 April, 1523	13 August, 1523	0	3	29
3 November, 1530	4 April, 1536	5	5	1
8 June, 1536	18 July, 1536	0	1	10
28 April, 1539	24 July, 1540	1	2	26
16 January, 1541	29 March, 1544	3	2	13
23 November, 1545	31 January, 1547.	1	28	
EDWARD VI.				
4 November, 1547	15 April, 1552	4	5	11
1 March, 1553	31 March, 1553	0	1	0
MARY.				
5 October, 1553	6 December, 1553	0	2	1
2 April, 1554	5 May, 1554	0	1	3
12 November, 1554	16 January, 1555	0	2	4
21 October, 1555	9 December, 1555	0	1	18
20 January, 1557	17 November, 1557	0	9	28
ELIZABETH.				
23 January, 1558	8 May, 1558	0	3	16
11 January, 1562	2 January, 1567	4	11	22
2 April, 1571	29 May, 1571	0	1	27
8 May, 1572	18 March, 1580	7	10	10
23 November, 1585	14 September, 1586	0	9	21
29 October, 1586	23 March, 1587	0	4	23
4 February, 1588	29 March, 1588	0	1	25
19 November, 1592	10 April, 1593	0	4	22
24 October, 1597	9 February, 1598	2	3	16
7 October, 1601	29 December, 1601	0	2	22
JAMES I.				
19 March, 1603	9 February, 1611	7	10	21
5 April, 1614	7 June, 1614	0	2	2
30 January, 1620	8 February, 1621	1	0	9
19 February, 1623	24 March, 1625	2	1	5
CHARLES I.				
17 May, 1625	12 August, 1625	0	2	26
6 February, 1626	15 June, 1626	0	4	9
17 March, 1627	10 March, 1628	0	11	23
13 April, 1640	5 May, 1640	0	0	22
3 November, 1640	20 April, 1653	12	5	17
CHARLES II.				
25 April, 1660	29 December, 1660	0	8	4
8 May, 1661	24 January, 1678	16	8	16
6 March, 1679	12 July, 1679	0	4	6
17 October, 1679	18 January, 1681	1	3	1
21 March, 1681	28 March, 1681	0	0	7
JAMES II.				
12 March, 1685	28 July, 1687	2	4	16
22 January, 1688	26 February, 1689	1	1	4

Met.	Dissolved.	Existed. Y.	M.	D.
WILLIAM III.				
20 March, 1689	11 October, 1695	6	6	22
27 November, 1695	7 July, 1698	2	7	10
24 August, 1698	19 December, 1700	2	3	26
26 February, 1700	11 November, 1701	1	8	5
20 December, 1701	7 July, 1702	0	6	2
ANNE.				
20 August, 1702	5 April, 1705	2	7	16
14 June, 1705	15 April, 1708	2	10	1
8 July, 1708	21 September, 1710	2	2	13
25 November, 1710	6 August, 1713	2	8	14
12 November, 1713	15 January, 1715	1	2	3
GEORGE I.				
17 March, 1715	10 March, 1721	5	11	21
10 May, 1722	5 August, 1727	5	2	26
GEORGE II.				
28 November, 1727	18 April, 1734	6	4	21
13 June, 1734	28 April, 1741	6	10	15
25 June, 1741	18 June, 1747	5	11	24
13 August, 1747	8 April, 1754	6	7	26
31 May, 1754	20 March, 1761	6	9	20
GEORGE III.				
19 May, 1761	11 March, 1768	6	9	22
10 May, 1768	30 September, 1774	6	4	21
29 November, 1774	1 September, 1780	5	9	4
31 October, 1780	25 March, 1784	3	4	26
18 May, 1784	11 June, 1790	6	0	25
10 August, 1790	20 May, 1796	5	11	3
12 July, 1796 (United Kingdom of G. B. and Ireland.)	31 December, 1800	5	11	18
22 January, 1801	29 January, 1802			
31 August, 1802	24 October, 1806	4	2	25
15 December, 1806	29 April, 1807	0	4	15
22 June, 1807	29 September, 1812	5	3	7
24 November, 1812	10 June, 1818	5	6	16
4 August, 1818	29 February, 1820	1	6	25
GEORGE IV.				
23 April, 1820	2 June, 1826	6	1	9
14 November, 1816	24 July, 1830	4	1	22
26 October, 1830	22 April, 1831	0	5	27
WILLIAM IV.				
14 June, 1831	3 December, 1832	0	5	20
29 January, 1833	30 December, 1834	1	11	1
19 February, 1835				

Acts of Parliament being quoted by the year of the King's reign, we subjoin for the convenience of the reader, the following

Table, showing the Commencement, Length, and Termination of the Reigns of the various Kings and Queens of England, since the Conquest, with the Date of their respective Births, and their Ages.

Kings and Queens.	Born	Reigns began.	Reigned Y.	M.	D.	Reigns ended.	Age.
NORMAN MONARCH.							
Will. Conq. -	1027	1066 Dec. 25.	20	8	15	1087 Sept. 9.	60
Will. Rufus -	1057	1087 Sept. 26.	12	10	7	1100 Aug. 2.	43
Henry I. - -	1068	1100 Aug. 5.	35	3	27	1135 Dec. 1.	67
Stephen - -	1105	1135 Dec. 26.	18	10	0	1154 Oct. 25.	49
HOUSE OF PLANTAGANET.							
Henry II. -	1133	1154 Dec. 19.	34	6	18	1189 July 6.	55
Richard I. - -	1156	1189 Sept. 3.	9	7	3	1199 April 6.	43
John - - -	1165	1199 May 27.	17	4	23	1216 Oct. 19.	60
Henry III. -	1207	1216 Oct. 28.	56	0	19	1272 Nov. 16.	65
Edward I. - -	1239	1272 Nov. 20.	37	7	17	1307 July 7.	67
Edward II. -	1284	1307 July 8.	19	6	12	1327 Jan. 20.	43
Edward III. -	1312	1327 Jan. 25.	50	4	27	1377 June 21.	65
Richard II. -	1367	1377 June 22.	22	3	7	1399 Sept. 29.	33

and at the same time to repeat and subscribe the declaration against popery.

The king, however, is, without any coronation, to all intents and purposes, the sovereign of these realms; and, though no oath has been administered to him, he is virtually as much bound by the provisions it contains as if he had actually taken it. It is declared, indeed, by the Act of Settlement, "that the laws of England are the birthright of the people thereof; and that all the kings and queens who ascend the throne of this realm ought to administer the government of the same according to the said laws; and all their officers and ministers ought to serve them respectively, according to the same: and therefore all the laws and statutes of this realm, for securing the established religion, and the rights and liberties of the people thereof, and all other laws and statutes now in force, are ratified and confirmed accordingly."

It is clear that the vindication of these principles can rest only in the moral power of opinion. There exists no tribunal by which they can be enforced: the king, in the eye of the law, can do no wrong, and is responsible to no one for his acts.

In the English government, however, as already stated, the danger arising from the irresponsibility of the crown is in a great measure obviated by everything being in reality left to the king's ministers, who are responsible, though he be not, for all the acts of government.

As regards the duties of the king, in the point of view now under consideration, they may be considered as twofold,—1st, in relation to foreign, and, 2ndly, in relation to domestic affairs.

1st. In the intercourse between this and other states, the king is considered as the representative of the nation; and, as such, has the sole power of making war and peace. Nay, it is even said that supposing the nation go to war without the king's sanction, it would not be a really national war, nor would any existing treaty of peace be broken. It is his majesty's duty, however, not to allow war to be either covertly or openly carried on by his subjects with any nation at peace with this; and by stat. 12 Car. II. c. 4. and 29 Geo. II. c. 16., he may prohibit the exportation of arms and ammunition, under severe penalties. The king may, also, grant what are termed letters of marque, viz. permissions to any of his subjects who may have suffered from foreign depredations to make reprisals, that is, to take and seize the property of any of the subjects of the aggressor nation, without incurring the risk of being condemned as pirates.

As incident to the king's power of making war, he has the entire command and disposal of the army and navy; all the officers of which receive their commissions and orders from him.

Reigns of Kings and Queens, &c. — *continued.*

Kings and Queens.	Born.	Reign began.	Reigned. Y. M. D.	Reigns ended.	Age.
		HOUSE OF LANCASTER.			
Henry IV.	1367	1399 Sept. 30.	13 5 20	1413 Mar. 20.	46
Henry V.	1389	1413 Mar. 21.	9 5 10	1422 Aug. 31.	33
Henry VI.	1421	1422 Sept. 1.	38 6 3	1461 Mar. 4.	49
		HOUSE OF YORK.			
Edward IV.	1442	1461 Mar. 4.	22 1 5	1483 April 9.	41
Edward V.	1471	1483 April 9.	0 2 16	1483 June 25.	12
Richard III.	1443	1483 June 26.	2 1 26	1485 Aug. 22.	42
		HOUSES OF LANCASTER AND YORK UNITED.			
Henry VII.	1456	1485 Aug. 22.	23 7 30	1509 April 21.	52
Henry VIII.	1492	1509 April 22.	37 9 6	1547 Jan. 28.	55
Edward VI.	1537	1547 Jan. 28.	6 5 9	1553 July 6.	15
Q. Mary	1516	1553 July 6.	5 4 11	1558 Nov. 17.	42
Q. Elizabeth	1533	1558 Nov. 17.	44 4 7	1603 Mar. 24.	69
		HOUSE OF STUART.			
James I.	1566	1603 Mar. 24.	22 0 3	1625 Mar. 27.	59
Charles I.	1600	1625 Mar. 27.	23 10 3	1649 Jan. 30.	49
		COMMONWEALTH.			
		1649 Jan. 30.	11 3 29	1660 May 29.	
		HOUSE OF STUART RESTORED.			
Charles II.	1630	1649 Jan. 30.	36 0 7	1685 Feb. 6.	54
James II.	1633	1685 Feb. 6.	3 10 5	1688 Dec. 11.	67
		HOUSES OF ORANGE AND STUART.			
William III.	1650	1689 Feb. 13.	13 0 20	1702 Mar. 8.	52
Mary II.	1662				32
Q. Anne	1665	1702 Mar. 8.	12 4 24	1714 Aug. 1.	49
		HOUSE OF HANOVER.			
George I.	1660	1714 Aug. 1.	12 10 10	1727 June 11.	67
George II.	1683	1727 June 11.	33 4 14	1760 Oct. 25.	77
George III.	1738	1760 Oct. 25.	59 3 4	1820 Jan. 29.	82
George IV.	1762	1820 Jan. 29.	10 4 28	1830 June 26.	68
William IV.	1765	1830 June 26.			

CHAPTER III. — OF THE EXECUTIVE.

SECT. I. *The King, his Duties and Prerogatives.*

THE executive power, according to the British constitution, both as it relates to foreign and domestic affairs, is vested in a single individual, the king or queen regnant for the time being; males and females being equally capable of ascending the throne of these realms. In all acts of parliament, indeed, the term king is taken as including equally that of queen. The same rule must be considered as applying to its use in these pages.

The right of succession to the crown seems to be, according to common law and constitutional custom, hereditary; subject, nevertheless, to be changed and limited from time to time, by parliament, as occasion may require. But though hereditary, the descent of the crown differs in several respects from the rules of descent in ordinary cases. The crown, for instance, descends to an eldest daughter and her issue, in preference to her sisters. Neither is there any minority in the case of an heir to the crown; and whenever, therefore, such an event as the crown descending on a minor is likely to occur, it is usual for parliament, in the lifetime of the ancestor, or predecessor, to make a special provision to meet the contingency; and this is done in each successive case.

The crown, as limited by the Act of Settlement, 12 & 13 Will. III., c. 2, is now vested in the descendants of the Princess Sophia, youngest daughter of Elizabeth, queen of Bohemia, and granddaughter of James I., (electress and duchess dowager of Hanover), being protestants; and it is enjoined in the above act, that whoever comes to the possession of the crown shall join in the communion of the Church of England, as by law established.

On the accession of every prince, he is solemnly crowned at Westminster, when he is formally invested with the office, and the oath as prescribed by the 1st of W. & M. administered to him. This oath is as follows: — The archbishop or bishop shall say, — "Will you solemnly promise to govern the people of this kingdom of England, and the dominions thereto belonging, according to the statutes in parliament agreed on, and the laws and customs of the same?" To which the king answers, "I solemnly promise so to do."

Archbishop or Bishop, — "Will you, according to your power, cause law and justice, in mercy, to be executed in all your judgments?"

King, — "I will."

Archbishop or Bishop, — "Will you, to the utmost of your power, maintain the laws of God, the true profession of the gospel, and the protestant reformed religion established by law? and will you preserve unto the bishops and clergy of this realm, and the churches committed to their charge, all such rights and privileges as do or shall appertain unto them, or any of them?"

King, — "All this I promise to do."

After this the King, laying his hand upon the holy gospels, shall say, "The things which I have here before promised, I will perform and keep; so help me God:" and then shall kiss the book.

This oath, if the coronation has not taken place previously, the Act of Settlement requires every king of the age of 12 to take on the 1st day of the 1st parliament after his accession, in the House of Peers,

The king's right to the command of the military formed one of the disputed questions between Charles I. and his parliament; on the Restoration, however, an act was passed in the 13 Charles II., declaring, that the sole supreme government and command of the militia within all his Majesty's realms and dominions, and of all forces by sea or land, and of all forts and places of strength, ever was, and is, the undoubted right of his Majesty and his royal predecessors, and that both or either house of parliament cannot nor ought not to pretend to the same. This statute, it is to be observed, extends not only to fleets and armies, but also to forts and other places of strength within the realm; the sole prerogative as well of erecting as of manning and governing which belongs to the king. Sir Edward Coke, indeed, lays it down, that no subject can build a castle or house of strength, embattled or other fortress defensible, without license of the king.

It is partly upon the same grounds, as general of the kingdom, and partly on fiscal, to secure his marine revenue, that the king has the prerogative of appointing ports and havens. By the feudal law al, navigable rivers and havens were reckoned among the regalia, and were subject to the sovereign; and in England it has been always held, that the king is lord of the whole shore, and in particular that he is guardian of the ports and havens, which are the inlets and gates of the realm; and so early as the reign of King John, ships are mentioned to have been seized by king's officers, for putting in at a place that was not a legal port. Neither can there be any doubt that all legal ports were first established as such under the authority of the crown, since to each of them a portmote is incident, the jurisdiction of which can only flow from the royal authority; the great ports of the sea are also referred to, as well known and established by the 4 Henry IV. c. 20., which prohibits the landing elsewhere under pain of confiscation.

By the 1st of Elizabeth, c. 11., and 13 & 14 Car. II. c. 11. § 14., the crown is enabled by commission to ascertain the limits of all ports, and to assign proper wharfs and quays in each port for the exclusive landing and loading of merchandise.

The erection of beacons, light-houses, and sea-marks, is also a branch of the royal prerogative. For which purpose, the king has the exclusive power, by commission under the great seal, to cause them to be erected in convenient places, as well upon the lands of the subject as upon the demesnes of the crown; which power is usually vested by letters patent in the office of lord high admiral. And by the 8th Elizabeth, c. 13., the corporation of the Trinity House is empowered to set up beacons or sea-marks, wherever they shall think them

necessary; and it is forbidden any one to destroy them, or take down any steeple, tree, or other known sea-mark, under severe penalties.

To this branch of the prerogative may also be referred the power which the king has, whenever he sees proper, of compelling his subjects to stay within the realm, or of recalling them when beyond seas. By the common law, every man was allowed to go out of the realm at his pleasure, without obtaining the king's leave, provided he was not under injunction to stay at home; and such is the law at this day. But the king, by a writ termed *ne exeat regno*, under his great or privy seal, may, if he think proper, prohibit any subject from quitting the kingdom, or he may send a writ to any subject abroad, commanding his return; and, in either case, if the subject disobey it, is a breach of his allegiance, and the offender's lands and goods may be seized until his return, and on his return he is punishable by fine and imprisonment.

As the king has the power of making war, so he has also of making peace, and negotiating treaties. He sends ambassadors abroad, and receives them at home; it is by his authority also that passports are granted, and safe-conduct ensured to the subjects of foreign states visiting this country.

In respect to domestic affairs, it is the king's duty, in the first place, as chief magistrate, to summon together the legislature, and prorogue or dissolve it, from time to time, as may be necessary; but his duties in this respect have been already stated. Another of the king's domestic duties is, as conservator of the public peace and guardian of the laws, to see that the rights and liberties of his subjects are secured, and that justice is duly administered. For these purposes, as in his political capacity, as general of the kingdom, he has the command of the military, so at home he has the disposal of the civil force; he may, however, also, if necessary, call in the assistance of the regular army. In the further fulfilment of this part of his character, the king has to prosecute all public offenders; for which purpose he has his law officers, the attorney and solicitor-general: but, in practice, the duties of these officers are almost entirely confined to state offences. In all ordinary criminal prosecutions, though brought in the king's name, the real prosecutors are the parties injured. It is in the same sense that the king is styled the fountain of justice, and it is from him that all courts mediately or immediately derive their jurisdiction; their proceedings run in his name; they pass under his seal, and their mandates are executed by his officers. In early times, it is probable, the kings were in the habit of hearing and determining causes in person; but now, by the uniform usage of many ages, our kings have delegated the whole of their judicial functions to the judges appointed by them to the different courts,

who are the grand depositaries of the laws of the kingdom, and have acquired a certain and established jurisdiction, regulated by rules not to be altered, except by authority of parliament. In consequence of his being head of the judicial system, the king is, in the eye of the law, endued with a legal ubiquity; and is always considered as present in all his courts. Another consequence of this attribute is, that the king can never be nonsuited; a nonsuit being the desertion of the suit or action, by the non-appearance of the plaintiff in court: for the same reason also, the king is not said, as other men are, to appear by his attorney. The king is *parens patriæ;* he has the care of minors, idiots, and lunatics, and also the superintendence of all charities which at their foundation had no governors assigned them; duties which are exercised by the Lord High Chancellor for the time being. All the lands in the kingdom are also supposed to be the property of the king, and to have been granted out by him, on certain conditions; one of which is, that the holder shall be true and faithful to his prince; and hence it is that when a subject is convicted of treason his lands are forfeited to the king. For the same reason, when lands have no owner, as when a man dies intestate and without heirs, the king takes them; and this rule extends also to personal property.

Another prerogative of the king, in his judicial character, is that of granting pardons. This power is said to have been annexed to the royal authority from the earliest times. In some extraordinary offences, however, the king cannot remit the execution of the laws. These are,—1st, The committing any man to prison out of the realm, which, by a statute passed in the reign of Charles II., is an offence unpardonable. 2d, The king cannot pardon a person guilty of a common nuisance, while it remains unredressed, though afterwards he may remit the fine; neither, 3d, can the king pardon an offence against a popular or penal statute, after information brought, the informer being considered to have acquired a private property in his part of the penalty. The king's pardon cannot be pleaded in the case of any parliamentary impeachment, so as to impede the inquiry and stop the prosecution; but after the impeachment has been heard and determined, it does not appear that the royal grace is further restrained.

Besides being the fountain of justice, the king is also the fountain of honour, office, and privilege, and this in a more strict sense than he is so called in the former instance. With respect to justice, he is as it were the distributor only. But honour, office, and privilege, rise and flow from him as from a parent spring. All degrees of nobility, of knighthood, and other titles, are conferred

by his immediate grant, either as in the creation of peers, already mentioned, by writs or letters patent, or by corporeal investiture, as in the creation of a simple knight. From the same principle, also, arises the prerogative of erecting and disposing of offices; but as he can annex no fees to any office, without consent of parliament, this prerogative is of little moment. The king has also the power of conferring privileges on private persons; as of giving place or precedence to any of his subjects, or granting letters of denization to persons born out of his dominions, whereby they obtain some of the privileges of natural-born subjects.

Another character, which the king fills at home, is that of head and supreme governor of the national church. This dignity was conferred upon him at the time of the Reformation (26 Henry VIII. c. 1.), when it was declared that the king should be reputed the only supreme head on earth of the Church of England, and should have annexed to the imperial crown of this realm, as well the title and style thereof, as all jurisdictions, authorities, and commodities to the said dignity of supreme head of the church appertaining; which has been since confirmed by the 1 Eliz. c. 1.

By virtue of this authority the king convenes, prorogues, restrains, regulates, and dissolves all ecclesiastical synods and convocations. This power appears, indeed, to have been an inherent prerogative of the crown long before the time of Henry VIII.

The convocation above mentioned, it may perhaps be sufficient to observe, is in its constitution very similar to a parliament. The archbishop presides; the upper house is represented by the bishops, and the lower house by the representatives of the several dioceses at large, and of each particular chapter. This constitution is generally attributed to the policy of Edward I., who thereby, at one and the same time, let in the inferior clergy to the privileges of forming ecclesiastical canons (which before they had not), and also introduced a method of taxing ecclesiastical benefices, by consent of the convocation. This ecclesiastical synod has not, however, been called together for many years.

From this prerogative also, as being the head of the church, arises the King's right of nomination to vacant bishoprics, and certain other ecclesiastical preferments.

As head of the church, the King is also the *dernier ressort* in all ecclesiastical causes; an appeal lying ultimately to him in Chancery, as will be more particularly mentioned when we come to treat of the judicial establishments.

The King has the regulation of internal commerce. His prerogative in this respect may be classed under the following heads: —

1. To him belongs the establishment of all markets and fairs, with the tolls thereto belonging, which can only be set up by the King's grant, or be exercised by long and immemorial custom, which presupposes a grant.

2. The King has the regulation of all weights and measures; as also the exclusive right of coining money.

King's Councils.—To assist the King in the discharge of these various duties, several councils are assigned him.

Peers.—The first of these consists of the peers of the realm, who are by birth hereditary counsellors of the Crown, and may be called together by the King to impart their advice in all matters of national importance. This council, however, it is hardly necessary to say, has long since fallen into disuse. Every peer of the realm has also a right to an audience of his sovereign, for the purpose of offering his advice on matters of importance.

Privy Council.—Another council belonging to the King is the Privy Council, usually styled, by way of distinction, "the Council." This council is formed by the King, and consists of such persons only as he thinks fit to appoint. These are generally the principal nobility and leading men in the kingdom. As the members are chosen by the King, so he may at pleasure discharge all or any of them, and select new ones. This council is also, like parliament, dissolved by the demise of the Crown; though, like parliament, its existence is now prolonged, for convenience sake, six months afterwards, unless previously dissolved. No particular qualifications are necessary for privy councillors; all that seems required is, that they should be natural-born subjects, and ready to take the oaths, from the purport of which their duties may be best gathered: these are, 1st, to advise the King, according to the best of their cunning and discretion; 2nd, to advise for the King's honour and public good, without partiality, through affection, love, need, doubt, or dread; 3rd, to keep the King's counsel secret; 4th, to avoid corruption, and to help and strengthen the execution of what shall in council be resolved; 5th, to withstand all persons who may attempt the contrary; and, lastly, in general to do and keep all that a good and true counsellor ought to do and keep to his sovereign lord. The duties of this council, however, are now purely judicial, and, as such, will be treated of afterwards among the courts of justice.

Cabinet Council.—The Cabinet Council now manages every thing, and carries on the whole affairs of state. It is so termed, it is said, from ministers in the time of Charles I. meeting in the cabinet of Queen Henrietta. The members of this council are chosen out of the Privy Council, without any legal nomination, being usually the

ministers at the head of the principal public departments. The Privy Council seems, originally, to have been a selection of a similar nature; but when seats in that body began to be given or left to those who did not enjoy the King's confidence, and it became too numerous for secrecy or despatch, a committee of its number, or the Cabinet Council, was intrusted with the direction of confidential affairs, leaving to the body at large business of a judicial or formal nature. The members of the Cabinet Council, as they have no legal appointment, so neither have they any formal dismissal: on the resignation or dismissal of a minister from office, he *ipso facto* ceases to be a member of the Cabinet Council.

SECT. II. — *Officers employed under the Crown in an Executive Capacity.*

It is not intended to enter into a detail of the various subordinate officers and establishments engaged in the discharge of the above-mentioned duties of the Crown: those only will be specified that are more immediately connected with the administration of justice.

Officers of Justice. — Of these the first in point of rank and dignity is the Lord High Chancellor. His office is very ancient, and is said to be derived from the Roman empire. Originally he had the supervision of all charters, letters patent, &c.; and hence he was intrusted with the care of the King's great seal; by the mere delivery of which into his hands, he is still created, no further ceremony being necessary: his dismissal or resignation is, in like manner, effected by its redelivery. In point of precedency he is superior to all temporal lords, except princes of the blood royal, as he also is to the spiritual lords, with the exception of the Archbishop of Canterbury, to whom he ranks next. He is privy councillor by virtue of his office; and, according to some, Speaker of the House of Lords by prescription; in which character it is that he is styled Lord High Chancellor of Great Britain. He has the appointment of all justices of the peace throughout the kingdom. Being generally, in former times, an ecclesiastic (none else being then capable of holding an office so conversant with writings), and presiding over the royal chapel, he became keeper of the King's conscience; visitor, in right of the King, of all hospitals and colleges of the King's foundation; and patron of all the King's livings under the value of 20 marks in the King's books. He is also guardian of all infants, idiots, and lunatics; has the general superintendence of charities; and is chief judge of the Court of Chancery.

The officers next in dignity, employed in the administration of justice, are the judges; but, as they differ in the different courts, we shall defer noticing them until we come to speak of the courts over which they respectively preside. With the judges the higher order of officers may be said to terminate. All of them, in a certain sense, represent the King himself: they act in his name, and possess a general jurisdiction throughout the kingdom. Those we are now coming to are of a subordinate character: it is true they also act in the King's name, but they do so as his servants, and in a derivative character only. Their jurisdiction is merely local, according to the civil divisions of England.

England, it is to be observed, in a civil point of view, is divided into counties, or shires, hundreds, or, as they are termed in some of the northern counties, wapentakes (the old English for weapon-takes, and which are but subdivisions of the counties), cities, tithings, towns, or vills (the last three of which, in a legal sense, are synonymous), boroughs, and parishes. In some counties there are intermediate divisions between the shire and the hundreds, as the lathes in Kent and the rapes in Sussex, each of which contains three or four hundreds; some of the larger counties were, moreover, originally divided into trithings; but the only county in which this triple division still continues to exist is Yorkshire, where they are known by the name of ridings. — (See Vol. I. p. 167.) Each of these divisions originally had its proper officer; but the only officers who exist at the present day are those for the counties, the subdivisions of counties, and townships. With respect to cities and boroughs, these form exceptions to the general system, and have their peculiar officers; whose duties and appointments are regulated by the terms of the original grant creating the corporation. Many of the corporate towns are, in strictness, to be considered as counties, having the same privileges within the limits of their respective jurisdictions. Three of the counties — Chester, Durham, and Lancaster — are called counties palatine: the two former are such by prescription, or immemorial custom, at least as old as the conquest; the latter was created by Edward III. in favour of Henry Plantagenet. Counties palatine are so called from the word *palatium*, because the owners of them had originally in those counties *jura regalia*, as fully as the King had in his palace. They formed, in fact, small kingdoms within themselves; and the lord possessed the same power over them as the King did over the kingdom, as well in civil as in criminal cases. The powers of the owners of these courts, however, are now much abridged; and in criminal cases they no longer possess any jurisdiction whatever. The county palatine of

Durham, indeed, is the only one which now remains in the hands of a subject.

County Officers. — The principal county officers are the sheriff, the *custos rotulorum*, the clerk of the peace, the magistrates, and the coroner.

1. Sheriff, in Saxon, is *scire-gerefa*, from *sciram*, to divide, for that the whole realm is parted and divided into shires; and *gerefa*, the *comes*, earl, or governor. The word comes, or count, came first into Europe out of the Eastern countries; and the word county, in Latin *comitatus*, seems to be nothing more than the division or allotment over which the *comes*, or count, had jurisdiction. And when the counts or earls relinquished the custody of the counties, it was committed to the viscounts or *vice-comites*, the Latin term for sheriffs.

The sheriff is chosen annually: at common law he was chosen by the freeholders; but by statutes 14 Edward 3. c. 97., 23 Henry 6. c. 8., and 21 Henry 8. c. 20., he is to be appointed yearly on the morrow of All Souls (since altered to the morrow of Saint Martin), at the Exchequer, by the Chancellor, Treasurer, President of the King's Council, Chief Justice, and Chief Baron. And the custom now is for the judges, together with the above-mentioned officers, to meet in the Exchequer on the morrow of the last-mentioned day; when the judges propose three persons to be reported, if approved of, to the King; who afterwards appoints one of them sheriff. No particular qualification seems to be required for the office except that, holding a responsible situation, he is required by several statutes to have sufficient land within the shire to answer the King and his people, though this, in practice, is little attended to. If any plausible excuse can be alleged for declining the office, — as that the individual chosen is of small fortune, an officer in the militia, abroad, or the like,—it will be sustained. The objections on which the office is sought to be avoided ought to be stated to one of the judges, who will mention them at the time of appointment. The stat. Rich. 2. c. 11. enacts, that no man who has served in the office shall be again elected within 3 years. A sheriff may, however, hold his office after the year, if not before lawfully discharged; and by 1 Ann. c. 8. all officers appointed by the preceding King may hold their offices for six months after the King's demise, unless sooner displaced by his successor; and if a sheriff die before his office has expired, the under-sheriff shall execute the same in the deceased sheriff's name, till a new sheriff be sworn, and be answerable for the execution of the office as the deceased sheriff would have been. Should any one, fully qualified and chosen, refuse the office of sheriff, he is liable to a penalty of 1,500*l.*

The duties which the sheriff has to perform are numerous: he has to act at once as judge, as the keeper of the King's peace, as a ministerial officer of the superior courts of justice, and as the King's bailiff.

In his judicial capacity he presides at the county court, as also at all county meetings which are summoned by him. He is likewise to decide the elections of knights of the shire (subject to control by the House of Commons) and of coroners, and to return such as he shall determine duly elected.

The sheriff, as well as the constable, coroner, and certain other officers of the King, are, by the great charters expressly forbidden to hold any pleas of the Crown, or, in other words, to try any criminal offence. Neither can the sheriff, during the continuance of his office, act as an ordinary justice of the peace.

As keeper of the King's peace, both by common law and special commission, he is the first man in the county, and superior in rank to any nobleman therein; he may apprehend and commit to prison all persons who break the peace, or attempt to break it; and may bind any one in a recognisance to keep it. He may and is bound, *ex officio*, to pursue and take all traitors, murderers, felons, and other misdoers, and commit them to gaol for safe custody. He is also bound to defend his county against any of the King's enemies, when they come into the land; and for this purpose, as well as for keeping the peace and pursuing felons, he may command all the people of his county to attend him, which is called the *posse comitatus*, or power of the county.

In his ministerial capacity, the sheriff is bound to execute all writs and other process issuing from the King's courts of justice, and directed to him, and, if necessary, to arrest and take charge of the defendant. When the cause comes to trial, he must summon and return the jury; and when it is over he must see the judgment of the court carried into execution. In criminal matters he also arrests and imprisons, returns the jury, has the custody of the delinquent, and executes the sentence of the court, though it extend to death itself. The gaoler, bailiff, and executioner are looked upon as his officers, and, to a certain extent, he is answerable for their conduct.

As the King's bailiff, it is his business to preserve the rights of the King within his bailiwick; for so his county is usually called in the writs. Further, it is the sheriff's duty to watch over the King's rights; and he must seize to the King's use all lands devolved to the Crown by attainder or escheat; must levy all fines and forfeitures; must seize and keep all waifs, wrecks, estrays, and the like, unless granted

to some subject; he must also collect the King's rents, if commanded by process from the Exchequer.

The Custos Rotulorum is also a county officer of high dignity, and bears the same rank in civil affairs that the lord-lieutenant does in military. Of late years, indeed, the two offices have been usually vested in the same individual; they are, however, totally distinct, both in their appointments and their duties. The *custos rotulorum* has, as his name implies, the custody of the rolls and records of the sessions of the peace, though, in the reputation of the law, they remain in the custody of all the justices. The appointment is made by bill, signed by the King; upon which the Lord Chancellor issues his commission; the Archbishop of York, however, the Bishop of Durham, the Bishop of Ely, and others, to whom the King, or his progenitors, by letters patent, have granted any liberty in particular districts to appoint the *custos rotulorum*, exercise the power themselves. The *custos rotulorum*, by virtue of his office, having the custody of the rolls of session, ought to attend the session by himself or his deputy, who is clerk of the peace; and by the 37 Henry 8. c. 1. § 3. he is directed to appoint a sufficient person residing within the county to execute the office of clerk of the peace. If he sell this office, he is liable (1 Will. & Mary, 1. c. 21. s. 8.) to the loss of his own, and severe penalties.

Clerk of the Peace.—This officer, appointed, as above mentioned, is responsible to the justices in session for the performance of his duties. It is his duty, by himself or his deputy, who must be approved by the *custos rotulorum*, to be in constant attendance on the Court of Quarter Session. He gives notice of the time of its being holden or adjourned; issues its process, records its proceedings, and executes all the ministerial acts necessary to give effect to its decisions. In the actual course of the sessions, he reads the acts directed to be read; calls the jurors, and makes known their defaults and excuses to the court, as well as to all the parties under cognisance, whether to prosecute, plead, or give evidence; he, too, presents the bills to, and receives them from, the grand jury; arraigns prisoners, receives and records verdicts, administers oaths, and makes true entries of all proceedings. The table of fees to be taken by the clerk of the peace is settled by the justices in their Court of Quarter Session, and subsequently submitted to the justices of assize for their approval.

The Coroner (*coronator*, so called from having principally to do with pleas of the Crown, or those wherein the King is more immediately concerned) is a very ancient officer at common law; and, in this light, the Lord Chief Justice of the King's Bench is the principal coroner in the kingdom, and may, if he please, exercise the jurisdic-

tion of a coroner in any part of the realm. But there are also particular coroners for every county, usually four, but sometimes six, and sometimes fewer. This officer is of equal antiquity with the sheriff, and was ordained, together with him, to keep the peace, when the earls gave up the wardship of the county.

He is still chosen by all the freeholders in the County Court; as, by the policy of our ancient laws, were the sheriffs, conservators of the peace, and all other officers concerned in matters affecting the liberty of the people. For this purpose a writ at common law, termed *de coronatore eligendo*, issues to the sheriff, in which he is expressly commanded, "*quod talem eligi faciat, qui melius et sciat, et velit, et possit, officio illi intendere.*" And, by the Statute of Westminster 1., none but lawful and discreet knights are to be chosen. The coroner is chosen for life, but may be removed either in consequence of being made sheriff, or by the King's writ *de coronatore exonerando*, for a cause to be therein assigned; as, that he is engaged in other business; incapacitated by years or sickness; hath not a sufficient estate in the county, or lives in an inconvenient part of it; and, by the statute 25 Geo. 2. c. 29., extortion, neglect, or misbehaviour, are also made causes of removal.

The office and power of a coroner is also, like that of the sheriff, at once judicial and ministerial, but principally judicial. This is, in a great measure, ascertained by statute 4 Edward 1., *de officio coronatoris*, and consists, first, in inquiring, when any person is slain, or dies suddenly, or in prison, concerning the manner of his death, which he must do "*super visum corporis;*" for, if the body be not found, the coroner cannot sit. He must also sit at the very place where the death happened; and his inquiry is made by a jury of from four to five or six persons, from the neighbouring towns, over whom he is to preside. If any be found guilty by this inquest of murder or other homicide, he is to commit them to prison for further trial, and is also to inquire concerning their lands, goods, and chattels, which are forfeited thereby; but, whether it be homicide or not, he must inquire whether any deodand has accrued to the King, or the lord of the franchise, and must certify the result of the inquisition (under his own seal and the seals of the jurors), together with the evidence thereon, to the Court of King's Bench, or the next assizes. Another branch of his office is to inquire concerning shipwrecks, and certify whether wreck or not, and who is in possession of the goods. Concerning treasure-trove, he is also to inquire who were the finders, and where it is, and whether any one is suspected of having found and concealed a treasure, and, if so, to attach him, and hold him to bail upon the suspicion.

The ministerial office of the coroner is only as the sheriff's substitute; for, when just exception can be taken to the sheriff, for suspicion of partiality (as that he is interested in the suit, or of kindred to either plaintiff or defendant), the process must then be awarded to the coroner, instead of the sheriff, for execution of the King's writs.

Justices of the Peace. — The next species of subordinate magistrates are the justices of the peace, the principal of whom is the *custos rotulorum*, already mentioned. The King, as we have said, is, by his office, the principal conservator of the peace within his dominions, and may give authority to any other to see the peace kept, and to punish such as break it: hence the expression, the King's peace. The Lord Chancellor or Keeper, the Lord Treasurer, the Lord High Steward of England, the Lord Mareschal, the Lord High Constable of England (when any such officers are in being), and all the justices of the Court of King's Bench (by virtue of their offices), and the Master of the Rolls (by prescription), are general conservators of the peace throughout the whole kingdom, and may commit all breakers of it, or bind them in recognisances to keep it; the other judges are only so in their own courts. The sheriff is also a conservator of the peace within his own county, as is also the coroner, and both of them may take a recognisance or security for the peace. Constables, tithing-men, and the like, are also conservators of the peace within their respective jurisdictions, and may apprehend breakers of the peace, and commit them, till they find sureties for their keeping it.

Justices of the peace were originally chosen by the freeholders in full county court before the sheriff; they are now, however, appointed by the King's special commission, under the great seal, the form of which was settled by the judges in 1590. This appoints them jointly and severally to keep the peace, and any two or more of them to inquire of and determine felonies and other misdemeanors; in which number, some particular justices, or one of them, are directed to be always included, and no business is to be done without their presence, the words of the commission running thus, "*quorum aliquem vestrum A, B, C, D, &c., unum esse volumus,*" whence the persons so named are usually called justices of the *quorum*. Formerly it was customary to appoint only a select number to be of the *quorum*; but now the practice is to advance all to that dignity, naming them all over again in the *quorum* clause, except, perhaps, some one inconsiderable person for the sake of form; and no exception is now allowable for not expressing in the form of warrants, &c., that the justice who issued them is of the *quorum*. When any justice intends to act under this commission, he

sues out a writ of *dedimus potestatem*, from the clerk of the Crown in chancery, empowering certain persons therein named to administer the usual oaths to him, which done he is at liberty to act.

The only qualification seems to be that required by statute 5 Geo. 2. c. 11., which makes it necessary that every justice shall have 100*l.* per annum clear of all deductions; if he act without such qualification, he shall forfeit 100*l.*

The office of these justices is determinable — 1st, By the demise of the Crown; that is, in six months after. But, if the same justice be put in commission under the new monarch, he shall not be obliged to sue out a new *dedimus*, or to swear to his qualification afresh; nor, by reason of any new commission, to take the oaths more than once in the same reign. 2d, By express writ, under the great seal, discharging any particular person from being any longer justice. 3d, By superseding the commission, by a writ of *supersedeas*, which suspends the power of all the justices, but does not totally destroy it, as it may be revived again by another writ, called a *procedendo*. 4th, By a new commission, which virtually, though silently, discharges all the former justices, that are not included therein, for two commissions cannot subsist at once. And, 5th, By accession of the office of sheriff or coroner.

The power, office, and duty of a justice of the peace depends on his commission, and on the several statutes which have given them jurisdiction in particular matters. His commission empowers him singly to preserve the peace; and, thereby, gives him all the power of the ancient conservators at the common law, in suppressing riots and affrays, in taking securities for the peace, and in apprehending and committing felons and other inferior criminals to prison to take their trial. It also empowers any two or more to hear and determine all felonies and other offences, which is the ground of their jurisdiction at session; but this we shall treat of more fully when we come to that court.

Constables are of two sorts: high constables and petty constables. The former were first created by the Statute of Winchester, and are appointed at the court leets of the franchise or hundred over which they preside, or, in default of that, by the justices at their quarter sessions, which is now the usual way, and are removable by the same authority that appoints them. The petty constables are inferior officers in every town and parish, subordinate to the high constable of the hundred, and were first instituted in the reign of Edward III. These petty constables have two offices united in them, the one ancient, the other modern. Their ancient office is that of headborough, tithing-man, or borseholder, which is as ancient as the time

of Alfred; their more modern office is that of constable merely; to this they were appointed in the reign of Edward III., in order to assist the high constable. Petty constables are likewise chosen by the jury at the court leet, or, if no court leet be held, appointed by two justices of the peace.

The general duty of all constables, both high and petty, as well as of the other officers, is to keep the King's peace in their several districts, and for that purpose they are armed with very extensive powers, of arresting and imprisoning, of breaking open houses, and the like.

CHAPTER IV.—Courts of Justice, Procedure therein, &c.

Sect. I.— *Courts of Justice.*

Having thus briefly specified the officers employed in the administration of justice, we come next to the courts. In England, justice is always administered publicly; and a court of justice, by the common law of the land, is open to all the world. No court of justice can be created but by the King's commission. In the old courts, which have existed from time immemorial, this is presumed, though no record of it now remains. The King cannot, however, issue his commission without the authority of Parliament; and whenever a new court is to be established, an act is always passed for the purpose. As it is by the King, as head of the executive, that courts are established, so it is from him that they are considered as deriving their authority. He is always supposed to be present in them; the judges are his representatives, and an offence offered to them is an offence against the royal dignity.

Some courts have only a criminal, some only a civil, jurisdiction, others both. Some again are courts of record, others not. A court of record is one in which the record of the proceedings (which is kept in all courts) is of such high authority, that no evidence will be admitted in contradiction to it. The record itself may be amended in cases of mistake, but while it remains it is incontrovertible. Every court of record possesses the power of fine and imprisonment, and the mere creation of a court with these powers is said of itself to make it a court of record. For this reason courts, which are not courts of record, are said not to be the King's courts, but the courts of private individuals only. This is not, however, strictly true; the courts of equity, for instance, cannot but be considered as the King's courts, and yet they are not courts of record, and not being such, have not these powers.

Every court has three constituent parts: the plaintiff who com-

plains of the injury done, the defendant who is called upon to make satisfaction for it, and the judge who is to examine the truth of the fact, determine the law arising upon that fact, and if any injury appears to have been done, to ascertain and apply the remedy, or, in criminal cases, the punishment. It seldom happens, at the present day, that the parties appear in their own persons, with the exception of the defendant in criminal cases, though, they are at liberty to do so if they please. In most of these courts the case is conducted by attornies and barristers, on their behalf. The former of these are officers of the court, and both are responsible to it for their conduct. The duty of the attorney is to receive his client's instructions, collect the necessary evidence, and conduct the case through the formal part of the proceedings. He then lays it before counsel, who apply the law to the facts, and, on the hearing, attend at the bar of the court, and urge such arguments as the case may admit of in support of their client.

Attornies. — All attornies, before they can be admitted to practice, must serve a clerkship of 5 years. It is then necessary for them to be admitted by some of the superior courts at Westminster to the execution of their office, before which, by a late regulation, they must undergo an examination by a board of examiners appointed for the purpose; upon their admission they become, in all respects, officers of the court to which they are so admitted, and, as such, immediately subject to its authority and control. In a case of extreme misconduct, the court in which they are admitted will cause them to be struck off the rolls; after which they can no longer practise as attornies. As a further security for their behaviour, no attorney is allowed to practise in any court, or demand fees for business done in it, unless he have actually been admitted as an attorney of that court: when admitted to the Court of Chancery they are termed solicitors.

Barristers, strictly speaking, are not officers of the courts, though it is necessary for them to take the oath of allegiance before one of the judges at Westminster before they are allowed to practise. It seems to be at the option of the judges to permit whom they please to plead in their respective courts, but the long established custom has been to admit none but such as are members of one of the inns of court.* It is in these that the ceremony of calling to the bar

* The inns of court, of which there are four, viz. the two Temples, Lincoln's Inn, and Gray's Inn, are little more than private societies, which were founded by Edward I. for the education of lawyers, and over which the judges have a control as visitors. Originally attornies, as well as barristers, seem to have belonged to them; they are now solely confined to the latter.

takes place, after which the admission to practice in court is a matter of course. The only qualification required for being called, is, that the candidate should have kept a certain number of terms. Hitherto five years have in all cases been necessary, unless the candidate were of the degree of M. A. of one of the universities, in which case three were sufficient: by a late regulation, however, in some of the inns, any member may be called at the end of three years, if then of the age of twenty-five. No examination is necessary. The terms are kept by the student's dining a certain number of times in the hall of the inn to which he belongs. If a barrister misconduct himself, he may, it would seem, be silenced by the judge of the court in which he pleads; and this would, no doubt, be followed by his being disbarred by his own society.

Barristers, hitherto, have been divided into two degrees: simple barristers and serjeants-at-law. Serjeants-at-law were bound by a solemn oath to do their duty to their clients, and the practice has always been to admit the judges to this order on their elevation to the bench. From the most eminent of these some are usually selected to be the King's counsel, the two principal of whom are called his Attorney and Solicitor-General; the King's counsel have precedence, and a place within the bar, as it is termed, immediately before the judge. The Queen has also her Attorney and Solicitor-General, who sit with the King's counsel.

The number of practising barristers at present, resident in London, may perhaps be estimated at upwards of 1,000; attornies at more than twice the number; what the number of the latter may be in the country it is difficult to say, perhaps not less than 6,000.

Barristers do not now, as formerly, practise indiscriminately in all the courts; the common law courts have one bar; the courts of equity another, which seldom interfere with each other. A third class, again, who are termed conveyancers, confine themselves entirely to chamber practice, and are chiefly employed in drawing the necessary deeds for the transfer of property. All, however, are equal in rank as barristers, and must go through the same forms before they can be called.

In the ecclesiastical courts the business is conducted by proctors and doctors of law: the former acting in the character of attornies; the latter of barristers. But as they are peculiar to these courts, we reservre their consideration till we come to them.

The judges differ in the different courts; in some the judicial power is vested in individuals, who are at once judges of law and fact; in others it is divided between a judge and jury: the judge deciding matters of law; the jury matters of fact. The courts of

equity and the ecclesiastical courts, which were framed upon the model of the Roman civil law, are of the first description; the common law courts, which we derive from our ancestors, of the latter. For this reason we shall defer speaking of the judges, until we come to speak of the courts in which they respectively preside.

Courts of Law. — Blackstone divides the courts of justice in England into such as are of a public and general jurisdiction throughout the whole kingdom, and such as are only of a limited jurisdiction in certain parts of it. Of the former, there are, 1st, the courts of common law; 2dly, the courts of equity; 3dly, the court of bankruptcy; 4thly, the court for the relief of insolvent debtors; 5thly, the ecclesiastical courts; and, 6thly, the courts maritime.

1. The principal courts of common law are, the House of Peers, the judicial committee of the Privy Council, the Exchequer Chamber, the Court of King's Bench, the Court of Common Pleas, and the Court of Exchequer.

The courts of assize and gaol delivery, and the courts of session, are also to be reckoned under this head; for though, strictly speaking, they possess only a limited jurisdiction, yet they prevail throughout the kingdom, and form a part of the general system; as also do the inferior courts, such as the county courts, the courts leet, the courts of the market, or pie poudre, and the manorial courts. In this class it is usual, also, to enumerate what is termed the common law side of the Court of Chancery; but as this is merely an office for the issuing of writs, no contentious proceedings being carried on there, it seems scarcely to deserve the name of a court of justice.

The House of Peers possesses at once a civil and a criminal jurisdiction; as a court of the former description, however, it is a court of appeal only, and in its criminal capacity, it is almost exclusively confined to high state offences. The judicial committee of the Privy Council and Exchequer Chamber, has a civil jurisdiction only. The Court of King's Bench is a court both of civil and criminal jurisdiction; as a criminal court, however, it has no original jurisdiction, except in the county in which it sits for the time being. The Court of Common Pleas and Exchequer have a civil jurisdiction only, as also have the courts of assize, and all the inferior ones, with the exception of one division of the county court, termed the sheriff's tourn, and the courts leet. The courts of gaol delivery are purely criminal; the courts of sessions may, perhaps, be said to have at once both a civil and criminal jurisdiction.

2. The courts of equity; the chief of which is the Court of Chancery, which practically consists of three courts: the equity side

of the Exchequer, and, as a court of appeal, the House of Lords. 3. The Bankrupt Court, which is at once a court of law and equity. 4. The Court for the Relief of Insolvent Debtors. 5. The Ecclesiastical Courts, which, though local, prevail systematically throughout the kingdom, each ecclesiastical division having its own; thus there are the provincial courts, the diocesan courts, and the archdeaconry courts, with several inferior ones, which, at present, need not be mentioned; and, as an ultimate court of appeal, the Privy Council. And 6. and last, the Admiralty Courts, which stand alone.

The principal courts of limited jurisdiction are the courts of the counties palatine of Chester, Lancaster, and Durham, the royal franchise of Ely, and the courts of the two Universities of Oxford and Cambridge, together with many others scattered through various parts of the kingdom, too numerous to notice. Every corporate town, indeed, has some privileged court of its own; thus, in London, there is the Court of Requests for the recovery of small debts, the jurisdiction of which has since been extended over Middlesex; and in Westminster, the Court of the Marshalsea, and the Palace Court. No general rule can be laid down in respect of these courts, each depending for its jurisdiction and constitution on the peculiar terms of the charter or statute by which it is created: they form, indeed, rather exceptions to the general system, than parts of it. In our subsequent remarks, therefore, we shall confine ourselves to the courts of the former class: to attempt a detailed account of the latter would necessarily carry us beyond the limits prescribed for the present article, and be uninteresting to the general reader.

Even the crowd of courts of general jurisdiction must, at first sight, perplex the reader, and various anomalies will present themselves. The courts of equity, for instance, courts at this day of the highest judicial authority in the kingdom, are not courts of record, while the insignificant and now obsolete courts leet and courts of pie poudre are: but the judicial system of a country does not spring at once from the mind of the legislator, like Minerva, in all the fair proportion of design; it is the patchwork of various times and people, made rather to suit the occasion, than framed according to any regular plan. To use Blackstone's simile, it resembles an old house, which has been pulled down and altered, and added to, to suit the habits or convenience of successive proprietors. When a country changes its inhabitants, the new comers naturally bring with them their own laws and institutions, which, of course, are substituted for the old ones; but it seldom happens that the latter are entirely cleared away; some always remain, and it is only in the course of

time, as civilisation advances, and the increasing wants of a nation render it necessary, that improvements and additions are made, and the heterogeneous mass begins to assume the appearance of any thing like order and regularity. This is the case with the courts in England: some have been the work of one people, some of another; some have originated in the mere necessity there was for them, while others owe their existence to little else than accidental circumstances; some seem to be united together in a general system, while others, from change of time and circumstances, have become altogether useless and obsolete. The best thing we can do, perhaps, to make the subject intelligible, will be to endeavour shortly to point out the origin of each.

The first judicial system with which we are acquainted, as existing in England, is the Saxon; but we have no means of ascertaining its precise nature, though it seems to have possessed no inconsiderable merit, and to have been superior to that of the surrounding nations. The Saxons divided England into counties, hundreds, and tithings, towns or *vills*. These different divisions, according to this system, had each its peculiar courts and officers. The duties of the officers are now of course different, but the names of some of them still remain; thus we have the shirereeve or sheriff, the boroughreeve or constable. The courts, it is supposed, consisted of the inhabitants of the respective districts; the superior ones being successively formed out of those immediately below them, and so ascending in a regular gradation, from the court of the tithing to the wittenagemote of the nation. They possessed an ecclesiastical as well as a civil jurisdiction; the bishop and the earl, or ealdorman, for instance, sat together, we are told, in the county court. The institution of the jury was not known to them, at least as it exists at the present day; but the freeholders sate in the courts, and probably decided in much the same way as a jury do now, a practice which prevailed among the northern nations. The courts which yet remain to us of this system, are perhaps that division of the county court known by the name of the sheriff's tourn, the courts leet (which seem to have been the courts of the tithings), and, it may be, the courts of the markets and pie poudre; all these are courts of record, which the other local courts, viz., the county court, generally so called, and the manorial courts are not; a circumstance which would seem to warrant the conclusion that the former once formed parts of the same system.

The next system we come to is the feudal; a system too well known to need description here. Under it this, the lord of every manor had his two courts, the one for the freeholders, the other for his copyholders. At these courts all matters in dispute between

the tenants of the manor were determined, the lord presiding as judge, and the tenants, who were termed the suitors or homage, sitting as jury. In many instances they appear to have had a criminal as well as a civil jurisdiction, but this was not invariably the case: in general they had a civil only. Of these courts the copyhold still exist in numerous places; the courts baron, however, in consequence of the abolition of subinfeudation, which took place in the time of Edward III., have gradually disappeared, though some few are still to be met with. Besides these courts for the manors, there are said to have been larger ones for the counties, and which are the origin of the county courts. The King, also, had his court baron for the kingdom, which was composed of all such as held their lands immediately of him; to which may be traced the present jurisdiction of the House of Peers as a court of judicature. Besides the House of Lords, however, and the other courts we have mentioned, spread throughout the kingdom, the King had an ordinary court of justice for the nation at large, termed the *aula regia*, which was composed of the principal officers of state. The Lord High Constable and Lord Maréschal presided in matters of honours and of arms; at other times it consisted of the Lord High Steward, the Lord Great Chamberlain, the Steward of the Household, the Lord Chancellor, whose business it was to keep the King's seal, to examine all such writs, grants, and letters as were to pass under his authority, and the Lord High Treasurer, who was principal adviser in all matters relating to the revenue. These were again assisted by certain persons learned in the laws, who were termed the king's justiciars, or justices, and by the greater barons of parliament, all of whom had a seat in the *aula regia*, and formed a kind of court of appeal, or rather advice, in matters of great moment and difficulty. These, in their several departments, transacted the secular business, both criminal and civil, and all matters pertaining to the revenue. Over all presided one special magistrate, called the chief justiciar, or *capitalis justiciarius totius Angliæ*, who was also the principal minister of state, and the second man in the kingdom. This court originally accompanied the King's household; the inconvenience of which, in the trial of common causes, gave rise to the clause in the *Magna Charta* which enacts "that common pleas shall no longer follow the King's person, but be held in some fixed place." The *aula regia* was abolished by Edward I., who erected in its stead the three great common law courts, still existing, viz., the King's Bench, the Common Pleas, and the Exchequer. As originally established, each had its separate duties. The Common Pleas determined all cases between private subjects; the Exchequer ma-

naged the King's revenue; and the Court of King's Bench retained all the jurisdiction not assigned to the other two, and particularly the superintendence over the rest by way of appeal, as well as the sole cognisance of pleas of the crown. Pleas, it must be remembered, are of two kinds: pleas of the crown, which comprehend all crimes and misdemeanors, wherein the King, on behalf of the public, is the plaintiff; and common pleas, which include all civil actions between subject and subject: the former, then, were the proper jurisdiction of the Court of King's Bench, the latter of the Court of Common Pleas. At the present day these distinctions have been broken through, and the three, in most civil cases, possess a concurrent jurisdiction. Until very lately, indeed, this was effected by a fiction: thus, every one bringing his action in the Court of Exchequer acknowledged himself a debtor to the King; and, in like manner, in the King's Bench, every one bringing a civil action was obliged to charge the person against whom he brought it with some offence against the Crown. Besides these several duties, the *aula regia* seems, also, to have had an equitable jurisdiction, which was not provided for in the new courts; and this it was which, in all probability, first suggested the idea of establishing a separate court of equity, as was done a few years after. The existing courts of assize and gaol delivery are said to have been originally founded by the same monarch. Previously to his time, circuits were made by justices in eyre, or *itinere*, who were regularly established, if not first appointed, by the Parliament of Northampton, in 1176, with a delegated power from the King's Great Court, the *aula regia*, of which they were members. At first, these justices made their circuits round the kingdom once only in seven years; but afterwards, by the *Magna Charta*, they were required to be sent into every county once a year. The present assizes, however, are more immediately derived from the statute of Westminster 2., 13 Edward I. c. 30., which directs certain persons to be assigned out of the King's sworn justices, who are to associate with them two discreet knights of each county. The jurisdiction of the Quarter Sessions depends principally on a statute passed in the 34th of Edward III. Before that time, magistrates were little more than officers for the preservation of the public peace. This statute first gave them the power of trying offences, and from time to time their jurisdiction has been increased. The times of holding them are regulated and settled by a statute passed in the reign of Henry V.

These are the courts which are generally known by the name of the Common Law Courts. They are, for the most part, similarly constituted; and, with the exception of the copyhold courts, which,

mostly, follow the particular customs of their respective manors, they adopt the same laws, and act upon the same principles. The courts we come now to speak of are of an entirely different description, differently constituted, and professing different laws. They may be divided into two classes, which vary considerably from each other, as they both do from those already mentioned, — the courts of equity and the ecclesiastical courts. The courts of equity, indeed, were, perhaps, rendered necessary by the hardships and defects of the common law; but, though they temper its asperities, still they profess to act in its spirit, and to aid its operation. The ecclesiastical courts, on the other hand, may be considered as existing rather in derogation of the common law, than in support of it. Both were the work of churchmen; and both, in consequence, were founded on the maxims of the civil law. Juries were omitted; an innovation which would have been more dangerous, had not their jurisdiction been merely civil.

The first idea of establishing a court of equity was, in all probability, as has been already mentioned, with a view to the creation of a tribunal for the exercise of the old jurisdiction of the *aula regia* in this respect. But there were also other circumstances which made such a court necessary. The warlike nature of the feudal system was ill adapted to a nation, by its position, little exposed to an enemy, and quietly settling in the habits of peace. The hardships of military tenure were accordingly severely felt, and the people were at length driven to devise various means to evade it. They effected it in this way. The feudal tenant conveyed his property, in due form, to two or three persons, on whose honour he could depend, who were ostensibly, and in the eye of the law, the owners, but who (it was privately understood between them) were to allow the person who had so conveyed his property to them to enjoy and dispose of it as he pleased. Whenever any of them died, the property, according to the rules of law, went to the survivors; a new trustee was then appointed in the place of the one dead, and the others conveyed the property jointly to him with themselves: thus a constant succession was kept up. By this means, no fines ever accrued to the lord on the admission of an heir; a person entitled was always in existence: neither was there any minority; and the right of the lord to enter and take possession of lands held of him during a minority, when in general he committed every kind of havoc, was one of the most severely felt evils of the feudal tenures. Another advantage was, that the person beneficially entitled was enabled to devise or alienate his property at any time he pleased, and that, too, without the ceremonies required by law: he had only to signify to his trustees the

person to whom he wished to leave or transfer the property, and thenceforth they held it in trust for him. There existed, however, no obligation, beyond a moral one, on the trustee to perform the trust; if he refused, the person who had confided in him had no redress. The common law courts refused to interfere: the law, they said, required certain formalities to invest a person in the possession of his property; these had not been complied with, and, however just it might be that the person on whom his friend had relied should perform his trust, still it rested solely between him and his conscience,—they had no power to compel him. At length, the Chancellor, who, being an ecclesiastic, was more particularly concerned with morality, and not, perhaps, disinclined to seize an opportunity of aggrandising his power by creating a new jurisdiction of his own, issued a writ, summoning the party who had committed the breach of good faith to appear and answer before him in the Court of Chancery. It was out of this Court, it will be remembered, that all writs issued with which proceedings commenced in the courts of justice; and, in those early times, it frequently happened that the Chancellor not only had to issue, but, in cases where no precedent could be found, to frame these writs so as to give that relief which the circumstances of the case required. The subpœna was a forced exercise of this power.

In after times the court, as we shall see, very much widened the scope of its jurisdiction; but this may be considered its origin. The person who first issued the writ is said to have been John de Waltham, Bishop of Salisbury, and Chancellor to Richard II.

It was not, however, without considerable opposition that this new assumption of power by the Court of Chancery was established; numerous petitions were, from time to time, presented by the Commons to have the writ of subpœna abolished as illegal. The court, however, retained its jurisdiction, and the Commons received the polite refusal, "*Le roy s'avisera.*"

In consequence of this assumed jurisdiction, on the part of the courts of equity, the strange anomaly exists,—that in Westminster Hall, within the space of a few yards only, different persons are regarded as the owners of the same estate. In the courts of equity, the cestui que trust is treated as actual owner; in the courts of common law, the interest of the trustee only is recognised.

In early times the office of Chancellor was invariably held by churchmen; and their decisions were, accordingly, rather founded on their private opinion, than on any fixed and settled principles. Sir Thomas More was the first Chancellor, regularly educated as a

lawyer. After him, the seals seem to have been held by lawyers and churchmen indiscriminately. The credit of forming our present system of equity jurisprudence, and fixing the limits of the jurisdiction, is, in general, ascribed to Heneage Finch, Earl of Nottingham, Chancellor in the time of Charles II. In practice, however, the decisions of Lord Hardwicke are those, perhaps, the most frequently referred to. In the chancellorship of Lord Ellesmere, in 1616, occurred the famous dispute between the courts of law and equity, set on foot by Sir Edward Coke, chief justice of the King's Bench, as to whether a court of equity could give relief after or against a judgment at law. The question was submitted to the King, who referred it to his learned counsel for their opinion. They decided, as is well known, in favour of the courts of equity; and their power has ever since been acknowledged.

The courts next to be mentioned are the Ecclesiastical Courts. In the Saxon times, as already mentioned, both civil and ecclesiastical causes, were brought before the same tribunal. William, however, soon after the Conquest, either from a wish to conciliate the Church, or from a fear that churchmen might engross the whole authority in the ordinary courts, to the exclusion of laymen, separated the two. The ecclesiastics, by his regulation, were allowed to have exclusive cognisance in all matters relating to the Church, or in which its ministers were concerned, with the exception of criminal cases. In the subsequent reigns, and particularly under the weak dominion of Stephen, attempts were made by the churchmen to extend their jurisdiction to criminal matters; and it was not until the Council of Clarendon, 1164, that their pretensions were put an end to. The articles of that council declared, among other things, that all clerks summoned to answer for a crime should come before the King's justices; that, if convicted, the Church should afford them no protection; that ecclesiastics should not quit the realm without the King's licence; that all causes not ecclesiastical should be determined in the King's courts; and that, even in ecclesiastical causes, no appeal should proceed beyond the Archbishop's Court without the King's assent.

The Court of Admiralty was rendered necessary as England became a commercial nation: its institution is ascribed to Edward III. Necessarily involving, as it did, the wider principles of jurisprudence and international law, it was established, not improperly, on the model of the civil courts, without a jury.

The Bankruptcy Court and the Court for the relief of Insolvent Debtors, are courts which, in like manner, have been called into existence by the wants of the nation. The former, indeed, was only

created by an act passed in the 1st and 2d year of the present King. Previously to that, the ordering and disposition of bankrupts was vested in the Lord Chancellor, and a certain number of commissioners appointed by him. The first establishment of a court for the relief of insolvent debtors appears to have been by an act passed in the 53d of Geo. III.

The laws of England admit of the same division as the courts: thus, we have the common law, the law of equity, and the canon law. The common law, which is the general custom of the kingdom, from time immemorial, is, properly speaking, the law of the land. The other laws, viz., the law of equity and the canon law, only prevail so far as they are permitted by the common law. They have been adopted, however by it now so long, that they have taken root amongst us, and may be said to form part of it.

The common law is a piece of patchwork, like the courts themselves, derived from laws and customs partly Saxon, partly Norman, which from time to time have been altered and modified by statute; but of its origin no record remains. Hence it is called *lex non scripta;* not as being founded on the universal law of reason, but as not being founded on any known acts of the legislature. It rests on the decisions of the judges, registered in the different courts, and preserved among their records. In matters of consequence and nicety, these are always referred to; but for ordinary purposes reports of the different cases, in which any difficult question arises, are published from time to time. These contain a statement of the facts, a short outline of the arguments made use of by counsel, the cases referred to, and the grounds on which the court made its decision. In early times, that is, from the reign of Edward I. to the reign of Henry VIII., these reports were made annually, by officers appointed by the court specially for the purpose, being then termed Year-books. At the present day, they are the work of a private hand, generally a barrister. So voluminous have they become, that an ordinary law library contains from 300 to 400 volumes. The common law may be also, and constantly is, in particular points, altered by acts of parliament, which thenceforth become the law of the land. It of course prevails in the common law courts, with the exception of the copyhold courts, which possess peculiar customs of their own, differing, more or less, from the general common law of the kingdom. Particular customs are also to be met with in certain districts, as the law of gavelkind of Kent, borough English, &c.; but these, though varying from the general custom, are usually considered as forming part of the common law, since, like it, they depend for their authority on usage and tradition only.

The courts of equity, in a great measure, adopt the wider principles of universal justice; hence, the distinction of law and equity. Like the courts of common law, however, they are now chained down by the precedents of previous decisions, of which records are kept, and reports made, in the same way as at common law. It is only when a new point arises, that a judge is left to decide according to what he may himself think right; and, even in this, he must be guided by existing principles of equity, as established by decisions: this, indeed, is the meaning of his oath to decide according to law. But though the courts of equity, in many cases, go beyond the courts of common law for the purpose of supplying their defects, yet, in general, they profess to act in the same spirit, and are guided by similar principles: in many cases, indeed, they claim a concurrent jurisdiction, and particularly where, from their peculiar construction, the matter can be more fully investigated than in a court of law. The law of equity, as well as the common law, has been from time to time altered by statute.

The ecclesiastical laws have been, for the most part, derived from the authority exercised by the Roman pontiff, in the different states and kingdoms of Europe. The decrees and canons of the Church are said to have been adopted in England as early as the seventh century; but the system of laws at present in force depends upon the decretals and constitutions compiled and promulgated under the influence of successive popes at various periods. In England, the authority of the canon law has been at all times much restricted, being considered, in many points, repugnant to the law of the land, or incompatible with the jurisdiction of the courts of common law. So much of it as has been received, has been gradually accommodated by our lawyers to the habits and customs of the country; and the ecclesiastical laws may now be described, in the language of our statutes, "laws which the people have taken at their free liberty by their own consent, to be used among them, and not as the laws of any foreign prince, potentate, or prelate."

Present State of the Courts. — We now proceed to give a brief sketch of these several classes of courts, as they at present exist. The first in order are the Common Law Courts, which, as we have already said, are susceptible of a two-fold division, viz., into such as have a civil, and such as have a criminal, jurisdiction. Many of them, indeed, have both; but as the same court differs materially in its civil and criminal capacities, we shall, for the sake of clearness, consider them separately, taking the civil first.

SECT. II. — *Courts of Civil Jurisdiction.*

1. *House of Lords.* — The House of Lords is a court of record, and the highest court of judicature in the kingdom. Its constitution has been already described. It possesses at once a civil and a criminal jurisdiction: in its latter capacity it will be considered afterwards. As a civil court it has an appellate jurisdiction only, to rectify any injustice or mistake of the law committed by the courts below. To this authority the Lords succeeded, of course, upon the dissolution of the *aula regia* before mentioned, for as the barons were constituent members of that court, and the rest of its jurisdiction was dealt out to other tribunals, over which the great officers who accompanied those barons were respectively delegated to preside, it followed that the right of receiving appeals, and superintending all other jurisdictions, still remained in the residue of that assembly from which every other court was derived. They are, therefore, in all cases the last resort, and from their judgment there is no appeal. Every subordinate tribunal must conform to their determinations. The Lords sit in the morning for the hearing of causes, when it is the constant practice for some of the law lords to attend, usually the Chancellor, or, in his absence, one of the deputy speakers. The appellate jurisdiction of the House of Lords over the courts of common law is only exercisable, it is to be observed, upon writs of error. The method of proceeding in this, as well as the other courts, will be spoken of hereafter.

2. *Judicial Committee of the Privy Council.* — This court was established by an act passed in the third and fourth of his present Majesty, which provides that the President for the time being of his Majesty's Privy Council, the Lord High Chancellor of Great Britain for the time being, and such of the members of his Majesty's Privy Council as shall from time to time hold any of the offices following, — viz. the office of Lord Keeper or First Lord Commissioner of the Great Seal of Great Britain, Lord Chief Justice or Judge of the King's Bench, Master of the Rolls, Vice-Chancellor of England, Lord Chief Justice or Judge of the Court of Common Pleas, Lord Chief Baron or Baron of the Court of Exchequer, Judge of the Prerogative Court of the Lord Archbishop of Canterbury, Judge of the High Court of Admiralty, and Chief Judge of the Court of Bankruptcy, — and also all persons, members of his Majesty's Privy Council, who shall have been President thereof, or held the office of Lord Chancellor of Great Britain, or shall have held any of the above mentioned offices, shall form a committee of his Majesty's said Privy Council, and shall be styled " The Judicial Committee of the Privy

Council;" reserving, nevertheless, power to his Majesty to appoint any two other persons, being Privy Councillors, to be members of the said committee. The court thus formed possesses the same judicial powers and authorities as the Privy Council previously did, with an increased jurisdiction; it is also a court of record. The matters which come before this court may be shortly stated as follow:—appeals in marine causes, and from the Admiralty Courts in causes of prize; appeals from the decisions of the various courts of judicature in India and the Colonies; matters of appeal and petition to his Majesty, which previously used to be heard before a committee of the Privy Council appointed for the purpose; together with the consideration of all matters whatsoever which his Majesty shall deem it fit to refer to them. No matter, however, is to be heard except in the presence of four members. The committee is expressly empowered to examine witnesses *vivâ voce*, or on written interrogatories, as they may think fit; and the necessary powers are given for compelling the attendance of witnesses, and the production of deeds and papers. The court may also, if it think fit, direct a cause to be reheard in the court below, or a feigned issue to be tried upon any matter of fact in the common law courts. It may also refer any question to its registrar to investigate, in the same way that the Court of Chancery does to one of its masters. The method of proceeding in this court is by a petition addressed to the King in Council.

3. *The Exchequer Chamber.* — The next court in point of dignity is the Exchequer Chamber, which is also a court of record; it has an appellate, but no original jurisdiction. As originally constituted, it consisted of the Lord Chancellor and Lord Treasurer, taking unto them the justices of the King's Bench and Common Pleas; and the court so constituted still exists for some purposes. But the Exchequer Chamber, as an ordinary court of appeal, has been new-modelled by a late act of the present King; by which it has now an appellate jurisdiction over all the three courts at Westminster: the appellate jurisdiction of the King's Bench over the other two having been suppressed, and transferred to it. As now constituted, the court, in cases of appeal from the King's Bench, consists of the Barons of the Exchequer and the Judges of the Common Pleas; and in cases of appeal from the Exchequer or the Common Pleas, of the Judges of the other two, or the Barons of the Exchequer and the Judges of the King's Bench, as the case may be.

4. *King's Bench, Common Pleas, and Exchequer.* — These are all courts of record. The highest of the three, in point of rank, the Court of King's Bench, was, as already mentioned, a continuation

of the *aula regia*. In former times, the King sate in it in person, and, if required, it would, even now, be obliged to attend his court; for centuries, however, it has been stationary with the other two. The King, though he may have a right to be present, can no longer, whatever he might have done formerly, interfere in the proceedings. James I. is said to have made the attempt, but was told by the judges that he was not allowed to deliver an opinion. The Court of Common Pleas ranks next to the King's Bench: it was, as previously stated, originally confined to pleas between subject and subject, though it now differs little from the others. An express provision of the *Magna Charta* made it stationary at Westminster. The Court of Exchequer derives its name from the chequered cloth which covers the table; originally it was devoted exclusively to the management of the King's revenue, but it long since became an ordinary court of justice.

In their constitution these three courts very much resemble each other. In each there are five judges, viz. a chief and four puisne judges — in the Exchequer styled barons — with, in certain cases, a jury, and sundry inferior officers, to conduct the formal part of the business.

The judges are selected from the barristers, and must be of the degree of serjeant previously to their elevation to the bench. They receive their appointment from the King; but when once appointed, are altogether independent of him, being then removable only by an address from both houses of parliament; their commission not being made out now as formerly, *durante bene placito*, but *quam diu se bene gesserint;* and their salaries fixed and ascertained. This was effected by a statute passed in the 12th and 13th of William III., which was further confirmed by the 1st of George III., when his Majesty was pleased to declare "that he looked upon the independence and uprightness of the judges as essential to the impartial administration of justice; as one of the best securities of the rights and liberties of his subjects; and as most conducive to the honour of the crown." By the latter statute it was also enacted, that the commissions of the judges should continue notwithstanding the demise of the crown. Any complaint against the judges for misconduct must be preferred to parliament; no ordinary tribunal can take notice of it. The salaries of the judges are fixed by different acts of parliament. The Lord Chief Justices of the King's Bench and Common Pleas have each 8,000*l.* a year; the Lord Chief Baron of the Exchequer 7,000*l.* a year. The salaries of the puisne judges vary from 5,000*l.* to 5,500*l.* Some of them are allowed to take fees in addition; others not. The fees, however, are of very small amount,

not exceeding some 30*l.* or 40*l.* The annual expense of the circuits averages 600*l.*

The business of the judges is not, by any means, confined to their attendance upon their respective courts at Westminster. During vacation fourteen of them travel on the circuits, the other remaining in the metropolis to transact any casual business. Besides this, during term, a puisne judge attends every day from three to five at the chambers in Serjeants' Inn. Two judges have to attend the New Criminal Court, as well as the Old Bailey Sessions; and two must also attend on private bills, from twenty to thirty of which are usually referred to them in the course of a session. To which may be added their attendance in the House of Lords, and on special commissions. The chiefs, moreover, are required occasionally to sit in the Privy Council; and the Chief Baron of the Exchequer has to sit in the equity side of the Exchequer. When to these various and onerous duties are added the time necessarily consumed in investigating cases, preparing judgments, arranging minutes, &c., the reader, we think, will agree with us in the conclusion that the office of a judge is by no means a sinecure. In the common law courts, the judicial power is not vested exclusively in the judges; whenever the truth of any fact is in issue, it must be decided by a jury.

Juries. — Juries are of two kinds, grand and petit. The grand jury is confined exclusively to criminal courts, and will be considered when we come to speak of them. The jury we are now to consider is the petit; which belongs to all the common law courts, whether criminal or civil; though in the latter it is usually known by the name of the common jury, to distinguish it from the special. It consists of twelve good and lawful men, who must be taken from the body of the county in which the cause of action, or the *venue*, as it is termed, is laid.

With the exceptions hereafter specified, the following persons are now qualified to serve on juries for the trial of all issues, civil and criminal, in the King's courts at Westminster, and at the assizes, and on grand and petty juries in the courts and sessions of the peace in the county, riding, or division, where they respectively reside.

1. Every man between the age of 21 and 60 years residing in England, having, in his own name, or in trust, 10*l. per annum*, of clear yearly income, arising from lands and tenements, whether freehold, copyhold, customary tenure, or ancient demesne, or rents issuing thereout in fee simple, fee tail, either for his own or other person's life, or such income or rents jointly issuing, amounting together to the clear yearly value of 10*l.*

2. Every man having 20*l.* a year clear from lands or tenements held by lease for 21 years or upwards, or for any term determinable on any life or lives.

3. Householders assessed to the poor rate, or to the inhabited house duty, in the county of Middlesex, on a value of 30*l.*; in any other county, 20*l.*

Lastly, Persons occupying any house containing not less than 15 windows.

Persons residing in Wales are eligible to serve on juries who are qualified to the extent of three-fifths of any of the foregoing qualifications.

The following persons are exempt from serving on all juries and inquests whatever: — Peers, judges, counsellors, attorneys, proctors, coroners, gaolers and keepers of houses of correction; clergymen in holy orders; Roman Catholic priests, having taken the oath required by law; dissenting ministers, whose places of worship are registered, and who follow no secular occupation, except that of schoolmaster; officers of the army and navy on full pay; physicians, surgeons, and apothecaries duly licensed and actually practising; servants of the Royal household; pilots licensed, and masters in the buoy or light service; officers in the customs and excise; officers of courts of justice actually exercising the duties of their offices; sheriff's officers, high constables, and parish clerks. It was also determined, in the session of 1826, that members of the House of Commons are privileged from serving on juries while attending their duties in parliament.

No man, not being a natural born subject, is qualified to serve on juries or inquests, except on the trial of aliens; nor any person convicted of any infamous crime, unless he have obtained a free pardon; nor any man under sentence of outlawry or excommunication.

No justice shall serve on any jury at the sessions for the jurisdiction of which he is a justice.

After serving and obtaining the sheriff's certificate, persons are free from again serving on juries for certain periods; in the counties palatine, or the principality of Wales, or in Hereford, Cambridge, Huntingdon, or Rutland, for 1 year; in the county of York, for 4 years; in any other county, except Middlesex, 2 years.

Sheriffs are required to register the service of jurors at the assizes, and to give certificates of service on payment of 1*s.*; but this regulation does not extend to grand or special jurymen.

No one is qualified to serve on a sheriff's or coroner's inquest, upon a writ of inquiry, who is not qualified to serve on a *nisi prius* jury: but this does not extend to inquests taken *ex officio*; nor to any city, borough, liberty, or town corporate, in which the usual custom of the place must be observed.

The method of summoning a jury is as follows: — In the first week of August in every year, the clerk of the peace for the county, riding, or whatever the district may be, issues his warrant to the high constables of the different hundreds, or other subdivisions, directing them, in like manner, to issue their precepts to the churchwardens and overseers of the different parishes, requiring them to make out, before the first week of the September following, lists of all such persons within their respective parishes as are qualified and liable to serve. These lists, when made out, are fixed on the church door the 3 first Sundays in September, and copies are kept by the churchwardens and overseers, for inspection. The lists are then revised by the magistrates at a petit sessions, held for the purpose, when objections may be made by any person who thinks himself improperly inserted; after which they are transmitted to the high constable, who gives them in at the next general quarter sessions to the clerk of the peace, to be by him placed among the records. A copy, however, is first made out in a book, which is called the jurors' book, and delivered to the sheriff. Out of this book the sheriff copies into another list, which is termed the special jury list, the names of all such as are described as esquires, or as persons

of higher degree, or as bankers and merchants. The book and the list so made out, come into use on the 1st of January in the succeeding year, and from them the sheriff selects his juries for the different courts, as occasion requires: from the former the common, and from the latter the special juries.

When a jury is required, writs issue to the sheriff directing him to summon one; these writs are termed the *venire* and *distringas*, and take their name from the words with which they respectively commence, the former beginning *venire facias juratores*, the latter *distringas corpora*. The *venire* merely commands the sheriff that he cause to come before the King at Westminster, on a certain day, which is always a day previous to the intended trial of the cause, 12 good and lawful men, &c. to make a jury of the country between the parties. The *distringas*, which issues on default being made to the *venire*, directs the sheriff to distrain the jurors by their lands and goods, so that he may have their bodies before the King at Westminster on another fixed day. In practice, a default is always supposed to be made to the first, and both writs are sued out together. Upon their being delivered to the sheriff, if the jury required be a common jury, he takes the names of a certain number of the jurors from his general list, and writes them on oblong pieces of parchment, which are termed the panels, and which he affixes to the writs to be returned with them. The number regularly returned, when the writ contains no particular direction, must not be less than 48, nor more than 72. A judge of assize may, however, direct any greater number to be returned, provided it does not exceed 144; such jury to be divided into two sets, one to attend one half of the assizes, the second the other. He may, also, direct the same panel to be used for the trial of the civil and criminal causes.

Immediately on returning the writs, the sheriff issues his summons to the jurors, and they are entitled to a summons ten days previous to the time of their attendance. They must then appear at the place of trial, pursuant to their summons: if they do not, they may be fined. This is the jury process when the trial is to be at bar; that is, in any of the 3 courts themselves, which is only allowed on particular occasions, as will be explained hereafter. It is the same, however, when the trial is intended to be at *nisi prius*, except that the *distringas*, in this case, appoints a day for a return of the jury in the ensuing term, *nisi prius—unless before* that time the judges of assize should come to the place intended for trial (which, of course, is always the case); in which event, the sheriff is to have them there instead. At the trial, the names of the jurors are written on separate pieces of card or parchment, and put into a box, out of which they are drawn one by one, when either party is at liberty to object. As soon as 12 unobjectionable names are drawn, they are called over; and if they appear are sworn, and the trial proceeds. If it so happen that a sufficient number of jurors do not appear, or, if after challenge 12 unobjectionable ones do not remain, the judges, upon the request of either party, may order the sheriff to return any of the parties present of the same county, and similarly qualified, to make up the number. The jurors so called are termed talesmen. This is the method of summoning a common jury.

The court may, on the application of either party, order a special jury to be returned. In trials at the bar, which are never permitted, except in questions of importance, the application for the trial includes, as a matter of course, an application for a special jury. The method of selecting a special jury differs in some respects from that of choosing a common jury. When a special jury is required, a time is appointed, previous to the trial, for both parties to attend the under-sheriff, when he copies from his special jury list the names of such as appear there, on

separate pieces of parchment, and puts them into a box, from which they are drawn one by one, in the same manner as in the case of a common jury: each party being at liberty to make objections. If any be objected to, and the objection be valid, that name is passed over and another is drawn, and so on until the number of 48 is completed. If 48 names cannot be obtained from the special jurors' list, the officer shall fairly and indifferently take such a number of names from the common jurors' list as will make up that number; the officer then furnishes each party with a list of the names, places of abode, and additions of the jurors, and the parties meet again by appointment on a subsequent day, and respectively strike off 12. The remaining 24 are then returned upon the panel; if any of these are absent on the trial, the talesmen, to complete the number, must be taken from the common jury panel. The same special jury may try any number of causes; but the court may, on application from any man who has served, discharge him from serving upon any other special jury during the same assize. The allowance made to special jurors is in the discretion of the judge: it must not, however, exceed 1 guinea, except when a view is given. Special jurymen are entitled to 3 days' notice previous to their appearance.

It is sometimes thought advisable that the jury should view the premises in question; in such a case, a judge orders in the *distringas* that the sheriff have 6 jurors (who must be previously agreed on by the parties, or in case the parties cannot agree, be nominated by the sheriff,) at the place in question, a convenient time before the trial, in order to inspect it; and it is to be shown them by persons acquainted with the locality. The sheriff, in his return to the *distringas*, must mention the jurors to whom the view has been given, and they must be of the jury at the trial.

The officers in the above-mentioned courts consist of a variety of clerks; as the Clerk of the Common Bails, the Clerks of the Crown Office, the Clerks in Court, and many others; who attend to the details of the business, and the formal parts of the proceedings, as drawing out the various writs, &c. It will, however, be enough to notice them incidentally when describing the routine of business.

Jurisdiction. — The jurisdiction of the three last-mentioned courts, as courts of civil jurisdiction, is now nearly similar. The superior jurisdiction which the Court of King's Bench once possessed, as a court of appeal over the other two, has, as already mentioned, been put an end to. It still retains it, however, over all the other inferior courts in England, with the exception of the courts of London, the Cinque Ports, and a few other places. An appeal from a judgment given in a county palatine lies to the King's Bench. It also exercises a controlling authority over all civil corporations, commanding magistrates and others, by its *mandamus*, to do what their duty requires, in cases where there is no specific remedy. It takes cognisance both of civil and criminal causes; the former in what is termed the plea side, the latter the crown side of the court. An appeal from a judgment of the King's Bench, in all cases in which the King is not a party, or where it is from a judgment given on an appeal from any of the inferior courts, lies now to the

Barons of the Exchequer and the Judges of the Common Pleas in the Exchequer Chamber, and thence to the House of Lords. In cases in which the King is a party, or where the judgment given in the King's Bench is upon an appeal from an inferior court, an appeal lies as formerly, immediately to the House of Lords. An appeal from a judgment in the Common Pleas lies to the Judges of the King's Bench and the Barons of the Exchequer. In cases in which the King is not a party, an appeal from the Exchequer lies to the Judges of the King's Bench and Common Pleas, and thence to the House of Lords. If the King be a party, the appeal lies to the Exchequer Chamber, before the Lord Chancellor and Lord Treasurer, calling to their assistance the Judges of the King's Bench and Common Pleas, or some of them.

These three courts sit at Westminster, for transacting business, every day during term. The terms are four in number; and were framed by our ancestors, partly as marking the periods of the year when secular business might be transacted without interfering with religious duties, and partly, perhaps, with a view of avoiding the times when the people might be supposed to be engaged in the harvest and other country matters. They depended, consequently, in a great measure on the feasts, and with them were movable. By a late act, however, they have been fixed as follows: —

Hilary Term	begins	January	11th,	ends	January	31st.
Easter Term	—	April	15th,	—	May	8th.
Trinity Term	—	May	22d,	—	June	12th.
Michaelmas Term	—	November	2d,	—	November	25th.

But though the number of judges in each of these courts be five, not more than four ever sit at one time on the bench. The fifth sits apart in the Bail Court or elsewhere, for the purpose of transacting such business as, in the ordinary course of practice, a single judge may transact.

The business in the Bail Court, it should be observed, arises only out of business in the King's Bench, and a judge of that court alone can preside there. The business consists in approving and discharging bail, and hearing and deciding upon matters on motion (particularly in cases of practice), and making rules and orders in causes and business depending in court.

The business done at Chambers consists in making orders in matters that arise during the progress of a suit. Any eight of the judges, including the three chiefs, are empowered to make rules and orders, from time to time, for altering and regulating the mode of proceedings in the three courts; and no orders, except such as are so made, are to be observed.

Courts of Assize and Nisi Prius. — These courts, as well as those already mentioned, are courts of record; they are held in every county town twice, and in the central parts of England thrice, every year, before commissioners appointed by the King for the purpose. Their institution, as previously mentioned, is as old as the time of Edward III., when England was divided into circuits. The number of the circuits has varied from time to time. At present they are seven in number; the county of Chester and Wales, which formerly had courts of their own, having been lately added. The commissioners appointed to travel the circuit always consist of fourteen of the Judges at Westminster; the fifteenth remaining in town. They determine their respective circuits among themselves, two travelling on each. Formerly no judge could travel the circuit which included the county where he was born, but this is not now the case. The commissions under which they derive their authority are made out by the Lord Chancellor for the time being, under the great seal, in pursuance of a royal warrant directed to him for that purpose. They are five in number. 1st, a commission of the peace; 2d, of oyer and terminer; 3d, of gaol delivery; 4th, of assize; and 5th, of nisi prius. With the three first we have, at present, nothing to do, being merely criminal. Of the two latter, the commission of nisi prius is practically of most importance; the origin of the term has already been explained in speaking of a jury: it authorises the commissioners to try by jury all causes, issuing out of the courts of Westminster, which are in a state to be heard. The commission of assize refers to a species of action rarely, if ever, brought at the present day. A number of barristers, greater or less in proportion to the business of the circuit, usually accompany the judges, and plead in these courts, in the same manner as in the courts at Westminster. One or two of the seniors, indeed, are usually joined in the commission, although they seldom act, unless there happen to be a great press of business. The judicial power in these courts, as well as in those last mentioned, is divided between the judge and jury. The method of summoning the latter has been already described; in fact, the same jury would have to attend at Westminster, if the commissioners were not to make their circuits previously. It is the duty of the sheriffs of the different counties, to whom notice is always given beforehand, to proclaim the assizes, summon the juries, and all other parties whose attendance is required. The sheriffs also themselves personally attend during their continuance.

The two judges sit in different courts; one for the trial of criminal offences, and the other of causes, or at *nisi prius*, as it is termed.

The following computation of the business and time occupied on the different circuits is given by the Common Law Commissioners, in their report on the state of the courts of justice.

Circuits.	Days of Absence of Judges from London.		Average Number of Days actually taken up by Business.		Average Number of Causes.
	Spring.	Summer.	Spring.	Summer.	
Northern - -	44	50	31	34	441
Oxford - -	46	52	28	26	164
Midland - -	35	27	23	18	103
Norfolk - -	36	33	19	14	53
Western - -	36	40	23	26	161
Home - -	32	31	22	21	118

The average time consumed on the Welsh circuit is less, perhaps, than on any of the others.

On the Welsh circuit, the two judges sit together at Chester, and then separate, the one taking South, the other North Wales.

It is obvious from the nature of the *nisi prius* sittings, that they could not be had in the same county, in which the court from which the cause issued was sitting. Accordingly, the trial of all issues, joined in Middlesex, was anciently at Westminster, and used to be had before the whole court, and in term time. But the interruption thence arising was such, that an act was passed in the 18th of Elizabeth, empowering the chiefs of the three courts, or, in their absence, any two of the judges or barons of their respective courts, to sit in term, or within four days after it, in Westminster, as justices of *nisi prius* for Middlesex, for the trial of such issues as ought, in the ordinary course, to be tried by a jury of that county. This has been since slightly altered by subsequent statutes, and these sittings are now held once a week during term, and for several days after; that is, after Hilary, Trinity, and Michaelmas terms, 24 days, and after Easter 6 days. By the 1st Will. 4. c. 74. s. 34., any one of the judges of the superior courts at Westminster, to whatever court he may belong, is authorised to sit in London and Middlesex, for the trial of issues arising in any of such courts. The *nisi prius* sittings for Middlesex are held at Westminster; for the City of London, at Guildhall.

These courts, viz. the three courts at Westminster, and the courts of assize and *nisi prius* in the country, with the Court of Exchequer Chamber, and the House of Lords, as courts of appeal, are, practically speaking, the common law courts, in which civil justice is in this country administered. The remaining courts of this class are comparatively unimportant, and need be very shortly noticed.

County Courts. — The county court, generally so termed, is a

court incident to the jurisdiction of the sheriff. It is not a court of record, except for the purposes hereafter mentioned, but may hold pleas of debt or damages under the value of 40*s*. The county court may also hold pleas of many real actions; and, by virtue of a special writ, called a *justicies*, which is a writ empowering the sheriff to do the same justice in his county court as might otherwise be had at Westminster, this court has cognisance of all personal actions to any amount. The freeholders of the county are the real judges in this court, and the sheriff but the presiding officer. Proceedings are removable from it into the King's superior courts, by a writ, termed a writ of *pone* or *recordari*. After judgment has been given, a writ of false judgment lies to the courts at Westminster to hear and review the cause; and, therefore, in some of these writs the first direction given is to cause the plaint to be recorded. A new court has also been created by an act passed in the 3d and 4th of the present King, termed the Sheriff's Court, to which the judges of the courts at Westminster are empowered to refer any cause depending before them, where the sum does not exceed 20*l*., and the case involves no points of law. The reference, however, must be to the sheriff of the county in which the action was brought, who summons a jury for the purpose.

The Hundred Courts, Courts Baron, and Copyhold Courts. — These three courts are so nearly allied to one another, that they may be conveniently described together. The Courts Baron and Copyhold Courts are held by lords of manors for their tenants. All the freeholders meet at the one, and the copyholders at the other. The steward of the manor presides as judge. Courts Baron were formerly held every three weeks, and their most important business was to determine controversies relating to lands within the manor. They may hold pleas of personal and other actions, when the debt or damages do not amount to 40*s*. The Hundred Court is nothing more than a larger Court Baron, being held for the inhabitants of a particular hundred instead of a manor. The free suitors are here also the judges, and the steward the registrar. All of them however may, as courts of justice, be regarded at this day as obsolete. The Courts Baron and Copyhold Courts are now principally, if not entirely, confined to the transfer of property, and other matters connected with tenure. None of them are courts of record.

Courts of the Market or Pie Poudre. — The only court remaining to be mentioned is the Court of the Market or Pie Poudre, so called, it is said, from the dusty feet of the suitors; or, according to Sir Edward Coke, because justice is done there as speedily as dust can fall from the foot. This court is a court of record, incident to every

fair or market, of which the steward of him who owns or has the toll of the market is the judge, and its jurisdiction extends to administer justice for all commercial injuries done in that very fair or market, and not in any preceding one; so that the injury must be done, complained of, heard, and determined, within the compass of one and the same day, unless the fair continue longer.

SECT. III. — *Procedure in Courts.*

Method of proceeding in an Action. — The form of proceeding at law in civil cases is said to be by action, to distinguish it from the proceeding in criminal cases which is termed indictment. Actions are of three kinds: — 1. Real; 2. Personal; and, 3. Mixed. The first of these concerns real — that is, landed property; and now only exists in a few instances. The second may again be divided into two kinds; the first relating to claims of debt, personal duty, or damage, in lieu thereof; the second, to claims of satisfaction in damages for any injury done to the person or property. The former are said to be founded on contract; the latter, on torts or wrongs: thus, an action of debt belongs to the former class, an action of assault to the latter. The mixed, or third species of action, is a compound of both, or is partly real and partly personal. An action of ejectment, by which the title to lands is tried, is usually said to be an action of this description. These three different kinds of action are again subdivided into many others, each appropriate to the injury complained of. To determine the form of action to be brought, in each particular case, is one of the duties of the special pleader, and requires considerable skill, as the adoption of a wrong one is fatal.

In commencing an action, the first thing to be done is to bring the defendant before the court to answer the charge made against him. Until very lately, each of the three courts effected this in a different way. Real and mixed actions, however, in which alone the old forms of proceeding continue to be followed, are now so few in number, and, with the exception of the action of ejectment, so rarely brought, that it seems scarcely necessary to describe them. Besides which, they abound at every step with fictions, so that we should almost despair of making them intelligible to a general reader. In personal actions the different courts had different ways of proceeding; but now, by an act passed in the 2d and 3d of the present King, commonly called the Uniformity of Process Act, one method is established for all the three. This is of four kinds: — 1. A writ of summons, where it is not intended to hold the defendant to bail, or to proceed against a member of parliament under the Bankrupt Act; and a writ of *distringas* to enforce the defendant's appearance, in case he cannot be served with the writ of summons. 2. A writ of *capias*, where it is intended to hold the defendant to bail, such defendant not being in the custody of the

marshal of the Marshalsea or warden of the Fleet. 3. A writ of detainer, where it is intended to detain a person already in the custody of the warden or the marshal. And, 4. Another kind of writ of summons, where it is intended to proceed against a member of parliament under the Bankrupt Act. Under process of mere summons, the defendant has only to enter an appearance at an office appointed for that purpose, which he must do within 8 days: if he fail to do this, the plaintiff may, upon affidavit made of due service, enter an appearance for him, and proceed to take judgment by default. If the writ of summons cannot be served, a *distringas* may, upon application made to the court, be obtained; after which the plaintiff may, as in the last case, proceed to judgment by default, or, if he prefer it, outlaw the defendant. In the second method of proceeding, *viz.*, where the defendant is arrested under a *capias*, he is required to give bail to the sheriff for his due appearance in court to answer the charge made against him; this he does by procuring 2 sureties to enter into a bond to that effect. In cases which admit of it, he may be discharged on depositing with the sheriff a sum sufficient to answer the demand and the costs of the action. In default of doing either of these things, he is lodged in prison, the sheriff being answerable for his appearance. The defendant's appearance is effected by his procuring 2 sureties to enter into a recognizance, undertaking for him to abide the sentence of the court, and pay such costs as may be awarded against him, or in default to render himself up: this is what is termed putting in special bail, or bail above. If the defendant does not appear and put in bail, the bond given to the sheriff is forfeited, and the plaintiff may proceed against the sureties upon it for his demand. If the defendant have been imprisoned, and should be allowed to escape through the sheriff's negligence, the sheriff becomes personally answerable. The writ of detainer, like the writ of summons, calls on the defendant to appear, and enter his appearance within 8 days; in default of which, the court will allow the plaintiff to enter an appearance for him, and proceed to judgment against him. When the defendant has been brought before the court in any of these ways, the next part of the proceedings are the pleadings. These are commenced by the plaintiff serving the defendant with the tale or declaration, which varies according to the nature of the action brought. In the action of ejectment this is the first process, and has the effect of a summons to the defendant to appear. The declaration used to contain a statement of the plaintiff's case, put in all possible ways, which were termed the counts, each being complete in itself; so that if he failed on one, he might recover on the other: for the verdict of the jury, the reader will remember, is always confined to the simple affirmative or negative of the question in issue. The counts in consequence were so numerous, that the length of the pleadings became a matter of serious inconvenience. To obviate this, the courts have made various rules from time to time; in some cases, unnecessary counts will be struck out; in others, they have prescribed forms, which are not to be departed from; and the plaintiff has to pay the costs of all the counts on which he does not succeed. When the declaration has been drawn up, it is served on the defendant, and a certain time is allowed him to make his defence: this he does by putting in a plea. Pleas are of two kinds; pleas in bar, and pleas to the action: the former are used when the defendant has any ground for avoiding the action; as, for instance, when he is sued in the wrong court, or when the plaintiff is under some disability, and is, therefore, unable to sue him. If the defendant cannot take advantage of a plea of this nature, or if the one he puts in be overruled, he must make his defence upon the merits of the case, which is done by a plea of the second description. Pleas to the action are either general or special.

A general plea traverses, that is, denies, the whole of the plaintiff's case, and constitutes what is termed the general issue, by which is meant a fact affirmed on one side and denied on the other. A special plea, on the other hand, instead of denying the plaintiff's case, alleges some special matter in derogation of it. If the defendant puts in a general plea, the parties may proceed to trial at once; and the law and equity of the case, as well as the bare fact, will be left for the jury to determine upon: but, if he put in a plea which does not amount to an issue, or a total contradiction of the declaration, the plaintiff may plead again or reply; either traversing the charge, which amounts, as in the former case, to an issue, or again bringing forward new matter in support of his case, and in avoidance of the defence made by the defendant's plea. To the replication the defendant may rejoin, or put in an answer, called a rejoinder: the plaintiff may answer the rejoinder by a surrejoinder; upon which the defendant may rebut, and the plaintiff answer by a surrebutter. A given time is allowed for each of these different pleadings, within which a party must proceed, or judgment will be given against him by default. The general rule is that a plaintiff must take one step in a term: thus, if a plaintiff file his declaration in Trinity Term, the defendant must put in his plea within 8 days. The plaintiff, however, if he choose to proceed, may always compel the defendant to reply, in most cases within 4 days. The replying party is at liberty, at any of these stages, at least if the state of the pleadings permit it, to stop further proceedings and take issue. The issue may be taken either upon the law or the fact. If taken on the law merely, it is termed a demurrer; if the issue be taken on the fact, it is done by the replying party traversing his adversary's case, and "putting himself upon the country," or words to that effect. The issue taken on a demurrer is decided by the judges; but the issue of fact must be decided by a jury. All these proceedings used to be entered or filed from time to time with an officer appointed for the purpose, and constituted the record; but now all the pleadings subsequent to the declaration must be delivered to the parties. When the issue has been joined, the plaintiff makes up the record, and gets it passed by the proper officer: after which he sues out the *venire* and *distringas*, the nature of which we have already described, for summoning the jury. The process is the same whether the trial is to be at bar, or in the country; except that in the former case the *nisi prius* clause is omitted in the *distringas*, and the *venire* is made returnable on a day certain. Previous to the trial, due notice must be given to the defendant; and, if it be in the country, the plaintiff takes down the record, and has the cause entered with the proper officer for trial. On its being called on, the record is handed to the judge to peruse the pleadings, and observe what issues are to be maintained and proved, while the jury is called and sworn. The method of summoning a jury has been already given; we shall here merely observe, that either party has a right to challenge the jury. Challenges are of two kinds; challenges to the array, or challenges to the polls. Challenges to the array are at once an exception to the whole panel, in which the jury are arrayed, or set in order, by the sheriff in his return; and this may be made on account of partiality or any default in the sheriff, or his under-officer, who arrayed the panel. Challenges to the polls are exceptions to particular jurors, as being interested parties, not duly qualified, &c. As soon as the jury is impanelled, the pleadings are opened to them by counsel on that side which holds the affirmative of the question in issue. The nature of the case, and the evidence intended to be produced, are next laid before them by counsel, also on the same side; and when the evidence has been gone through, the advocate on the other side opens the defence, and supports it by evidence in like manner; and then the

party which began is heard by way of reply, except in cases where the other party does not enter into evidence. The evidence is either written or parol. The witnesses are subject to be cross-examined by the counsel of the opposite party. The attendance of witnesses is enforced by a writ of *subpœna*. When the evidence has been gone through on both sides, the judge sums up the whole to the jury, with such remarks as he thinks necessary, giving them his opinion, in matters of law, arising upon the evidence. The jury, after the judge has summed up, unless the case be very clear, withdraw to consider their verdict; and are to be kept without meat, drink, fire, or candle, till they are unanimously agreed. After the jury are agreed, they return to the court and deliver their verdict. A verdict is either privy or public; a privy verdict is where the judge has left the court, and the jury deliver their verdict to him privately, which is of no force, unless afterwards given publicly in open court. The judge, indeed, in general, returns to receive it. If any difficult matter of law arises in the case, the jury may find a special verdict; and this they may do in two ways: the first is by barely stating the naked facts, as they find them to be proved, and praying the advice of the court thereon, concluding conditionally, "that if upon the whole matter the court should be of opinion that the plaintiff had cause of action, they then find for the plaintiff; if otherwise, then for the defendant." This is entered at length on the record, and afterwards argued and determined in the court at Westminster whence the issue came to be tried. The other is by finding a verdict generally for the plaintiff, but subject to the opinion of the judge of the court on a special case, to be settled by the counsel on both sides, with regard to a matter of law. The latter mode is attended with less expense, and obtains a speedier decision; but it has this disadvantage, that the parties, if dissatisfied with the decision of the judge, are precluded, by the form of the proceeding, from appeal by writ of error. But the most usual method is for the jury to find a verdict, either for the plaintiff with liberty for the defendant to move for a nonsuit, or for the defendant with liberty for the plaintiff to move to enter a verdict. These motions are made in the court above, when the question is fully argued. When the jury have delivered their verdict, they are forthwith discharged. The whole of the proceedings, after joining issue, are entered on the record, and constitute what is called the *postea*, which is in the nature of a report from the judge who presides at the trial to the court above of what has passed before him in respect to the cause. The substance is, that "*afterwards*" the plaintiff and defendant appeared by their attornies at the place of trial, and a jury being sworn found such a verdict; or that the plaintiff after the jury sworn made default, and did not prosecute his suit, or as the case may happen. This is added to the record, which is returned to the court from which the cause was sent. Next follows the judgment and execution. Formerly, when a verdict was obtained in vacation, the judgment and execution were, in all cases, delayed until after the return of the *distringas*, which it will be remembered was necessarily in term time. Now, however, by the 1st W. 4. c. 7., if the judge before whom any issue has been tried certifies on the back of the record at any time during the assizes that execution ought to issue, a judgment may be signed and execution issue forthwith. This does not, however, prevent the court above, on proper grounds, from vacating such judgment, or ordering the execution, if necessary, to be set aside. The execution of a judgment is carried into effect by the sheriff, to whom a writ is directed for the purpose, which varies according to the nature of the case.

It is scarcely necessary to say, that a trial at bar is, "*mutatis mutandis*," precisely similar to a trial at *nisi prius*.

In the brief sketch above given, we have traced the progress of a cause uninterruptedly to its conclusion. There are, however, several ways in which it might be brought to a previous termination. Thus, if the plaintiff do not follow the different steps of proceeding within the time prescribed before issue joined, judgment of *non pros*, as it is termed, is given against him as a matter of course; or if after issue is joined he neglect to appear, judgment of nonsuit. In like manner, if a defendant fail to follow up his defence, judgment will be given against him by default. When the judgment is given by default, the amount of the damages, in cases in which damages are sought, is ascertained by the sheriff upon a writ of inquiry directed to him for the purpose. Under this writ he summons a jury, and the proceedings nearly resemble a trial before a judge at *nisi prius*. The plaintiff must give the defendant due notice of the inquiry, and evidence is entered into on both sides. After the verdict has been given, the sheriff makes his return to the court above, in the nature of a *postea*. In bills of exchange and promissory notes, the amount of damages is ascertained by an officer of the court. Sometimes it happens, during the progress of a suit, that the plaintiff is unwilling to proceed further, or considers it necessary to give up his claim, either in part or against certain of the defendants: in this case he enters a *nolle prosequi*, either to the particular count, or to the whole cause of action. At other times, the plaintiff fails upon his evidence in making out his claim: in which case he usually submits to be nonsuited; this being no bar to a further action, there being no decision: and sometimes both parties finding their case doubtful, at the recommendation of a judge, mutually agree to withdraw a juror, and the action proceeds no further, the question remaining undecided.

Plea of Puis Darrein Continuance. — If, during the progress of a suit, any new matter arise to affect the rights of the parties, as if the plaintiff become bankrupt, a plea, termed a plea *puis darrein continuance*, may be put in, stating the fact, to which the other parties must answer, as in other pleadings. If this plea cannot be put in before the issue has been sent down for trial at *nisi prius*, it must be entered on the record, and the cause sent back to the court above, that the pleadings may be completed.

Bill of Exceptions. — Sometimes the judge, at the trial of a cause, either in his direction to the jury or decision, mistakes the law; when this happens, the counsel on either side may require him to seal a bill of exceptions. The mistake must, however, be upon some point of law, either in admitting or refusing evidence, or a challenge, or arising upon a fact not denied, in which either party is over-ruled by the court. The judge is compellable to sign the bill when tendered, and both parties are concluded by it as to the truth of its contents. The mode of proceeding upon a bill of exceptions, is by bringing a writ of error on the judgment, and having the matter determined in a court of error, for it cannot be determined in the court in which the record was made up. But this will be mentioned afterwards.

Demurrer to Evidence. — If the facts proved do not appear to maintain the issue, and the question whether they do or not is merely a question of law, either of the parties may withdraw it from the consideration of the jury, and have it decided by the court by demurring to the evidence. A demurrer admits all the facts proved, and merely affirms that they are not sufficient to maintain the issue. The court upon a trial at bar, or a judge at *nisi prius*, is bound to receive it; and if it is refused, it is a good ground for a bill of exceptions.

Arrest of Judgment. — When any intrinsic matter appears upon the face of the record, not amenable at common law, or by statute, and for which a writ of error

will not lie, the court will, upon application, arrest the judgment. The motion for this purpose must be made in the term in which the jury process is returnable.

New Trial. — The above remedies apply to cases in which the error is apparent on the face of the record; but if any defect in the verdict happen from causes wholly extrinsic to, or out of the record, the remedy the party has is by an application to the court for a new trial. In order to grant this, the court must be satisfied that there are strong probable grounds for supposing the merits have not been fairly and fully discussed, and that the decision is not according to the justice of the case.

Thus the misdirection of a judge, an improper panel, the finding of a jury contrary to evidence, will be a good ground for a new trial. So wide, indeed, are the grounds on which a new trial is granted, that it seems now to be the general remedy in all cases where justice requires the question to be reconsidered. The application for it is by motion for a rule to show cause why a verdict should not be set aside and a new trial granted. The motion is made in the court from which the cause was sent to be tried, and must be made before any error brought, or motion in arrest of judgment, and if the rule be made absolute, the cause is sent down to the assizes, and tried there before another jury in the same manner as before. A new trial may be had after a trial at bar, as well as at *nisi prius;* so also it may be had after a trial before the sheriff on a writ of inquiry.

Writ of Error. — Besides these different remedies, any party who thinks himself aggrieved by the decision of any inferior court, may appeal. The method of proceeding is by writ of error, which is an original writ, in the nature as well of a *certiorari* (which will be mentioned afterwards) as of a commission to the judges of such superior court to examine the record, and to affirm or reverse the judgment according to law. The writ runs in the King's name, and is directed to the person, usually the chief judge, before whom the judgment is given, and in whose custody the record is. It states the plaint, and commands him that he send before the judges of the court of error, on a particular day, a transcript of the record, &c. This writ is granted, *ex debito justitiæ,* in all cases, except felony and treason; and from the time of its allowance it operates as a *supersedeas,* and stays execution on the judgment of the court below. It is necessary, however, for a defendant suing it out, to put in and justify bail for abiding the decision of the court and payment of costs, much in the same manner as in the original cause, and this must be done within a given time. The plaintiff in error then assigns errors, which he must also do within a given time. The errors assigned must be matters of law only, at least on an appeal to a superior court: a writ of error, grounded on errors of fact, is brought in the same court in which judgment was given, and is returnable "*coram nobis.*" Errors are either common or special; common errors are where the plaintiff affirms the decision to be wrong generally, or alleging some special ground of complaint. When the plaintiff has served the assignment on the defendant, the latter may plead the common joinder, or a special plea, or he may demur. The common joinder alleges there is no error in the record and proceedings, and prays that the court may examine them and affirm the judgment. A special plea confesses the error assigned, but avoids it by some special matter: being in bar, it does not ask that the judgment should be affirmed, but that the plaintiff should be barred of his writ of error. To this the plaintiff may reply or demur, as in ordinary cases. If the errors be badly assigned, the defendant may demur, although, in most cases, the common joinder will answer the same purpose: after joinder has been filed, either party may get the cause entered for argument. When

it comes on to be heard, one counsel is heard for each party; the counsel for the plaintiff in error first; then the counsel for the defendant; and, lastly, the counsel for the plaintiff in reply. This being done, the judges may deliver their opinion *seriatim*, though it is now usually delivered by the chief; and, according to the opinion of the majority, the judgment of the court below is affirmed or reversed, unless the defendant has pleaded in bar; and then if the plea be allowed, the judgment is, that the plaintiff is barred of his writ of error. Given times are fixed for all these proceedings in the same manner as in the original action; and the parties may here, as there, have judgment against them by *non pros*, or by default, &c., or the plaintiff may submit to be nonsuited. This description of the mode of proceeding on appeal applies equally to all the courts. The gradation in which they rise above each other has been mentioned already.

Removal of Causes from inferior Courts.—The former remedies are given only after a decision: but besides these, it is at the option of either party, at any time during the progress of a cause, to take it from the cognisance of an inferior court and carry it before a superior tribunal. The writs used to do this, where the inferior courts are courts of record, are the writs of *habeas corpus cum causâ* and of *certiorari*; these writs are directed to the judge or steward of the inferior court, and may be returnable immediately, if directed to the inferior court, in or within 6 miles of London, and in all other cases in term. The writ of *habeas corpus cum causâ* is used when the prisoner is in custody, and removes not only the body of the prisoner, but also the several actions with which he is charged; and he is thereupon committed into the custody of the officer of the court. The *certiorari* lies in all cases before judgment, whether the action was commenced by process against the person or not; and it may be sued out to remove an ejectment, as well as other actions pending in inferior courts of record. In no case, however, can either writ be had, unless the damages or debt amount to above 5*l.*, provided the judge of the inferior court be a barrister of 3 years' standing, and the action does not concern the freehold or inheritance, or title to lands, lease, or rent: other restrictions are also put upon this mode of proceeding to prevent its being vexatiously used. When the writs issue, they have the effect of suspending all proceedings in the action against the defendant in the inferior court immediately upon their being delivered, and must be obeyed without delay. The *habeas corpus* is obeyed by bringing up the defendant, and by returning the causes with which he stands charged: the record itself is not in this case removed, but remains in the court below. The *certiorari* is obeyed by returning the record itself, formally made up, in order to be further proceeded in. Where the defendant is in actual custody, he is given over to the officer of the court to which he is brought up, as already mentioned. If he be not in actual custody when the writ is returned, he must put in special bail or enter a common appearance, according as the action is or is not bailable; and the bail must justify as in ordinary cases. If any bail have been put in in the court below, they are upon new bail put in in the court above discharged. After a cause has been removed by the plaintiff, he may be compelled to proceed; but if the cause have been removed by the defendant, the plaintiff, it is said, may proceed in the action, or not, at his discretion: there are no means of compelling him to do so. If he do proceed, he must begin, *de novo*, by declaring against the defendant, whatever may have been the stage at which the cause was in the inferior court at the time it was removed. There is no objection to the plaintiff's declaring in a different form of action from that which he commenced in the court below, provided it be for the same cause of action, and not for a larger amount. The subsequent proceedings are the same as in ordinary cases.

SECT. IV. — *Criminal Courts.*

House of Lords. — The highest court of criminal judicature known to the laws of England is the House of Lords, which it is hardly necessary to say is a court of record. It possesses at once an original and an appellate jurisdiction. As a court of original jurisdiction it may be regarded in several characters. First, during the session of parliament, it constitutes a tribunal for the trial of such high state offences as, either from the peculiar nature of the case, or the rank of the offender, the ordinary courts of justice may be supposed incapable of dealing with: commoners as well as peers are within its jurisdiction. The prosecution in these cases is termed an impeachment; which is a solemn charge in the nature of an indictment, preferred to the House of Lords by the Commons, much in the same way that an ordinary indictment is by a grand jury or county inquest to the ordinary criminal courts. The method of proceeding in an impeachment depends entirely on usage, which constitutes the law of Parliament, as it does the common law of the land, and a committee is usually appointed on each occasion to search for precedents. The ordinary course is as follows: when the Commons have come to a resolution to prefer an impeachment against any one, they send a message to the Lords to that effect, and praying that the offender may be attached. Upon this the Lords order the Usher of the Black Rod to take him into custody; in certain cases they take bail, but this is discretionary. The Commons next proceed to prepare the impeachment, for which purpose a committee is appointed: the impeachment contains the different charges drawn up separately in distinct articles. When the articles of impeachment have been prepared they are sent up to the Lords, who send for the prisoner, and order them to be read to him. The prisoner, having heard them read, usually prays that he may be allowed a copy, time to answer, and the benefit of counsel. The privilege of having counsel, as a matter of right, exists only to the case of persons impeached of high treason, and misprision of treason; in these cases it was granted by the 20th of Geo. 2d. In other cases it remains as before; counsel are always granted, however, as a matter of course. As soon as the prisoner has prepared his answer, it is sent up to the Lords, by whom it is sent to the Commons; the Commons consider it, and draw up an answer, or replication, as it is termed, which is forthwith sent to the Lords. A day is then fixed for the trial, of which notice is given to the Commons; who thereupon appoint a Committee of Management to conduct the prosecution: sometimes they come to a resolution to be present at the trial in a body, in

which case the trial is had in Westminster Hall, where suitable accommodation is made for them. The Lords previously to trial address the king, requesting him to appoint a Lord High Steward to preside over and conduct the proceedings: this is said however not to be absolutely necessary. The Lord High Steward is appointed by commission under the Great Seal, and for the particular occasion only. This officer must not be confused with the Lord High Steward of the court next mentioned. The power of the one, we are now speaking of, is not, except in his character of president, greater than that of other peers; like them he has only a single vote; the collective body of peers being here judges both of law and fact. The trial itself proceeds much as ordinary trials do; evidence is gone into, and witnesses examined on either side; the charge contained in each article is separately discussed and disposed of before the succeeding one is entered upon. The judges always attend, for the purpose of giving their opinion on any matter referred to them. On the trial being closed the peers adjourn, for the purpose of considering their verdict; this being agreed upon, notice is sent to the Commons, and the prisoner is brought to the bar, when each lord separately delivers his opinion in the usual words "guilty" or "not guilty." After this the Lord High Steward announces to the prisoner the result. Judgment, however, is not given until a subsequent day; indeed, it is said the Lords cannot give judgment until required by the Commons; so that if the Commons do not demand judgment, as has sometimes occurred, it has the effect of a pardon. This is the reason that the Commons in important cases always insist on being present at the trial, that, having heard the evidence, they may be the better able to decide in giving their votes on the question as to demanding judgment. Pending an impeachment, no interference is permitted on the part of the CROWN. The king's pardon cannot be pleaded in bar, neither can he stop it by prorogation, nor even, it is said, by dissolution of the Parliament, though the latter seems somewhat doubtful. After sentence, however, has been given, the king may in this, as in all other criminal cases, grant a reprieve. It seems undetermined whether the bishops have or not a right of voting. They have in general remained in the house, and voted on all questions during the trial, retiring only when the verdict was given, and then always under a protest, "saving to themselves and their successors all such rights of judicature as they have by law, or of right ought to have."

2d. — The House of Lords constitutes a court for the trial in certain offences of peers, and such as are entitled to the privilege of peerage: in these cases the indictment commences in one of the inferior courts, and is removed to the Lords by writ of certiorari. As this privilege belongs to the peerage, it extends to all peers of

the United Kingdom, whether lords of parliament or not, as well as to peeresses, whether in their own right or by marriage only: in the latter case, however, if they become dowagers and marry a commoner, they are held to have degraded themselves and forfeited their right; all peers who have a right to sit and vote in Parliament must be summoned; bishops, not being peers of the realm, have no right to a summons or to a seat, neither can they be tried here. The privilege extends only to treasons, felonies, and misprisions of either; in all other minor offences, as libel, riot, &c., peers are tried, like commoners, by an ordinary jury. A conviction in this court cannot take place by a majority of less than 12. When Parliament is sitting, this court is the same with the one last mentioned. The Lord High Steward is in like manner appointed for the occasion, and with similar powers.

3d. — The House of Lords, when Parliament is not sitting, constitutes a court for the trial of peers, called the Court of the Lord High Steward. But in this, the power of the Lord High Steward differs from that of the Lord High Steward in the courts above mentioned. The Lord High Steward here sits as judge, and decides on matters of law; the peers deciding only on matters of fact. The office was once hereditary, but latterly it seems to have been usual to appoint some peer specially for the occasion. The bishops form no part of this court any more than they do of the one last mentioned, nor have they any right to be tried in it. This court, however, it should be stated, has never been summoned since the Revolution.

4th. — The House of Lords is in all criminal cases the *dernier resort* as a Court of Appeal; an appeal lying to it from the King's Bench, to which latter it lies in like manner from all inferior courts. Its appellate jurisdiction in criminal cases, must not be confused with its appellate jurisdiction in civil. In the latter the merits of the case are again entered into; whereas in the former an appeal only lies for some error in the proceedings, which must be apparent on the face of the record, it being a fixed principle of English law, than which none is more sacred, that no one shall be twice put to his trial for the same offence. Writs of error to reverse judgments in the case of misdemeanours are not allowed of course; sufficient cause must be shown; but this being shown, they are said to be grantable of common right, *ex debito justitiæ*.

Court of King's Bench — Is the highest ordinary court of criminal judicature within the kingdom, and paramount in authority to the courts of gaol delivery and oyer and terminer. It has jurisdiction in all criminal cases, from high treason down to the most trivial misdemeanour

or breach of the peace. It is supposed to follow the person of the king, but it has now for centuries been stationary with the other courts at Westminster. This court supersedes all other courts of ordinary jurisdiction, &c. The interruption of general business which this produced, at length gave rise to an act (25 Geo. III. c. 15.), which enabled the sessions of oyer and terminer, and gaol delivery of Newgate, to continue notwithstanding the King's Bench was sitting at Westminster or elsewhere in the county. All offences, however, committed in Middlesex may be originally prosecuted in it by indictment, as also may misdemeanours committed in any county in England by information filed by the Attorney General, *ex officio*, or by leave of the court at the instance of a private individual in the Crown Office. By different acts of Parliament some offences committed out of the kingdom are cognizable here. The constitution of this court as a criminal court does not differ materially from its constitution as a court of civil judicature. The judges are the same in both, and the jury, that is, the petit jury, is similarly constituted and summoned; matters of law being decided in this as in the other by the judge, matters of fact by the jury. But, besides the petit jury, this court, when sitting as a court of original jurisdiction, has, as indeed all the criminal courts have, another jury or inquest, termed the grand jury, whose duty it is, in the first instance, to ascertain whether there are sufficient grounds for putting the accused on his trial. The grand jury must consist of 12 persons at least, and may contain any greater number, not exceeding 23, in order to prevent there being two full juries. The qualification required for grand jurors is the same with that required for petit jurors; in practice, however, the grand jury is usually composed of persons of rank in the county. It is summoned, as well as the petit jury, by the sheriff, previously to the sitting of court. The King's Bench, except in cases in which the intervention of the grand jury is not required, has no original jurisdiction out of Middlesex, but an appellate only, and in this character proceeds by writ of *certiorari* on offences removed from inferior tribunals. The cases in which a grand jury is not required are informations *ex officio* by the Attorney General, or at the instance of individuals by leave of the courts or in the Crown Office. In these cases the King's Bench has jurisdiction generally throughout the kingdom.

Courts of Oyer and Terminer and Gaol Delivery. — These Courts are held on circuit, and are the same with the courts of assize and *nisi prius*, already mentioned, except that as criminal courts they have a grand as well as petit jury. The grand jury is similarly constituted to that in the King's Bench just men-

tioned. The Commissions which confer the criminal jurisdiction are always directed to the same persons as the commissions which confer the civil; and the civil and criminal courts are held at the same time, one judge sitting in the one, the other in the other. The commissions which confer the criminal jurisdiction are three in number. 1. A commission of peace. 2. A commission of oyer and terminer; and, 3d, a commission of general gaol delivery. The commissions of assize and *nisi prius*, though in general of a civil nature, give also in some cases an extended criminal jurisdiction. When the judges have no jurisdiction to proceed under one of these commissions, they may proceed under another, and execute them at the same time. Thus, under the commission of oyer and terminer, as they are directed to inquire as well as to hear and determine, they can only proceed upon an indictment found at the same assizes, and before themselves; for they must first inquire by the grand jury or inquest before they are empowered to hear and determine by the petit jury: the second commission, however, empowers them to try and deliver every prisoner who shall be in the gaol when they arrive at the circuit town. Under the commissions of assize and *nisi prius*, the justices have, by virtue of several statutes, in certain cases a criminal jurisdiction, and where an indictment of treason, felony, or misdemeanour has been removed out of the court below by *certiorari* into the King's Bench, the record is sent down to be tried on *nisi prius*, and the judges may, upon that record proceed to trial, judgment, and execution as if they were justices of gaol delivery. The jurisdiction of the judges under the commission of the peace is the same as that of the magistrates at sessions, which will be mentioned presently. The courts of oyer and terminer and gaol delivery for Middlesex, previous to the act of the 3d and 4th of the present King for the erection of a new criminal court for the metropolis, used to be held at the Old Bailey. By this act, however, the Lord Mayor of London, the Lord Chancellor or Keeper of the Great Seal, and the judges of the King's Bench, Common Pleas, and Exchequer, the chief judge and the two other judges of the Court of Bankruptcies, the Judge of the Admiralty, the Dean of the Arches, the aldermen of the city of London, the Recorder, the Common Sergeant, the judges of the Sheriff's Court, and any persons who at any time have been Lord Chancellor or Keeper, or a judge of any of the superior courts at Westminster, with any others whom his Majesty may appoint, are to constitute a court to be called "The Central Criminal Court," for the trial of all offences committed in the metropolis or the neighbourhood within defined limits, and his Majesty is thereby empowered to direct to them his commission. This court has the

same jurisdiction as a court of oyer and terminer, which in fact it is, and is to be held 12 times every year, and oftener if necessary.

Sessions of the Peace. — These are courts holden before justices of the peace within their respective districts for the trial of minor offences, and the despatch of various country business. They are of 4 kinds; viz. the general sessions, the general quarter sessions, the special sessions, and petit sessions.

The General Sessions and *the General Quarter Sessions* are nearly similar. Both are courts of record held before two or more justices, one of whom must be of the quorum, which, as already seen, all justices now are: both are similarly constituted, and possess the same jurisdiction, except, perhaps, as to some matters which are made expressly cognisable by the general quarter sessions alone, and both are required to be held four times a year in every county in England. The only difference seems to be, that the latter are held at stated times, whereas the former may be held at any time. All that is absolutely necessary, however, is, that sessions should be holden four times; when, therefore, they are holden at the particular times stated, they are considered as general quarter sessions, and when holden at other times, as general sessions. In Middlesex, indeed, and the neighbourhood of the metropolis, in consequence of the great population, it is necessary to hold both kinds; so that sessions are there held 8 times a year. This is not the case, however, in any other county, and generally the sessions held are the general quarter sessions. In Middlesex the justices of the peace, previously to the establishment of the Central Criminal Court, were vested with a commission of oyer and terminer, but this is now done away. The times originally specified for holding the general quarter sessions were, the first week after Michaelmas-day, the first week after Epiphany, the first week after the close of Easter, and the first week after the translation of St. Thomas the Martyr, or the 7th of July; and Tuesday has been the day usually fixed upon. The Michaelmas sessions have since been altered, except for London and Middlesex, to the first week after the 11th of October. The general sessions, as well as the general quarter sessions, may be convened by two justices, or by the *custus rotulorum* and any one justice, but not by the *custos rotulorum* alone, nor by any one justice alone. In practice they are convened by two of the justices themselves. The method of convening them is by precept addressed to the sheriff, requiring him to summon the proposed session for the usual purposes; to return the juries, and give notice throughout his bailiwick to all persons whose attendance is requisite. The precept also directs the sheriff to proclaim them, and requires him to attend himself, though it is usual for him to attend by deputy.

The persons whose attendance is necessary are, the *custos rotulorum*, or his deputy; the clerk of the peace, who has the custody of the county records, and must register all proceedings; the gaolers and keepers of houses of correction, who must render an account of the state of the prisons and prisoners under their charge; and the chief constables and petty constables.

These sessions have also, like the higher criminal courts, a grand and a petit jury, who are summoned similarly, except that for the sessions the precept to the sheriff is issued by the justices of the peace.

The place of convening the sessions is at the option of the magistrates, who usually appoint the place where they have been accustomed to be held, and which is in general one of the principal towns in the district. It is usual, if the district be extensive, to adjourn them from one town to another, so as to save the expense of bringing the parties and witnesses to a distance.

Barristers, except such as are of the degree of king's counsel or serjeants, and attorneys practise in this court, in the same manner as in the higher courts. When barristers attend at sessions which they have not been in the habit of attending, it is usual for them to apply to the chairman for the privilege of pre-audience, which is granted as a matter of course. No persons, however, not attorneys are allowed to practice in these courts.

The jurisdiction of the sessions may be collected from the terms of the commission, which directs the justices "to inquire into, by the oath of good and lawful men of their county, and to hear and determine all felonies, poisoning, enchantments, sorceries, arts, magic, trespasses, forestallings, engrossings, and extortions, and all other crimes and offences of which such justices may or ought lawfully to inquire;" subject to this provision, that "if a case of difficulty arise," they shall not proceed to give judgment, except in the presence of some justice of one of the benches or of the assize. High treason not being mentioned, the quarter sessions have no jurisdiction to try that offence, and it is usual to try only the minor offences, such as petit larceny and misdemeanors, in this court; all the higher felonies, in consequence of the above recommendation, are remitted to the assizes. The sessions, however, have jurisdiction over capital offences of the latter description, and if they do proceed to judgment their judgment is not void, but stands until reversed for real error by a superior tribunal. These courts have no jurisdiction in cases of forgery or perjury at common law, on the ground that the scope of a justice's jurisdiction is confined to the preservation of the public peace. The exception, however, seems to depend less on principle

than precedent; neither can the court of session try any newly created offence without express power given by the statute which creates it. There are, however, many offences, and country matters, the cognisance of which has been given, by particular statutes, to these courts; such are offences relating to highways, alehouses, bastards, the settlement and provision of the poor, vagrants, and servants' wages.

In most of the borough towns there are quarter sessions kept before justices of their own within their respective limits, which have the same authority as county sessions, except in a few instances. Borough justices, indeed, are, as to that part of the county to which their power extends, county magistrates, and upon the same footing. The proceedings in these courts may also at any stage be removed into the King's Bench, in the same manner as from the last-mentioned courts by writs of error or *certiorari*.

Special Sessions are required by law to be holden for particular purposes, and some of them at stated periods; as, for the appointment of overseers, surveyors of the high roads, inspectors of weights and measures, and licensing alehouses. These courts have no juries, and are merely meetings of one or two justices of the peace and their clerks. In some cases, indeed, the manner of holding them is particularly pointed out by the statute directing them; but in general they are convened either at the instance of the *custos rotulorum*, the clerk of the peace, or two magistrates, who issue a precept to the chief constable of the district, who in his turn issues precepts to the petit constables, and gives notice to the different magistrates. The decisions of the magistrates, both in these and the petit sessions next mentioned, are in most cases subject to reversal on appeal to the quarter sessions.

Petit Sessions are nothing more than the meetings of one or two justices by private arrangement among themselves. The chief business done at them consists in the administration of the poor laws, determining differences between master and man, taking cognisance of minor offences, as assaults, drunkenness, keeping disorderly houses, &c.; many of which, indeed, might be done by a single justice. Justices, in fact, fill two characters; they are at once judges and officers of police. In the one character they decide; in the other they can inquire and commit only, preparatory to some further trial. When they sit in session they sit as judges, and decide; the place in which they sit is a court of justice, and as such open to all the world. So also in cases where a single justice can make a final decision, his room, even though in his private house, becomes a court of justice, and the parties may insist on being attended by their professional

advisers. But it is otherwise when justices sit on a preliminary investigation merely, as on a charge of murder,—here they may sit with closed doors.

The Sheriff's Tourn and *Courts Leet* differ only in this, that the one is holden for a county, the other for a hundred. Both are courts of record, and formerly were attended by all freeholders living within their respective precincts. Their principal business was to view the frankpledges, that is, the freemen within the liberty, who, according to the Saxon system, were all mutually pledges for the good behaviour of each other. They had cognisance in all breaches of the peace, and the chastisement of sundry inferior offences. It is not worth while, however, to dwell longer on these courts, as they may now be considered as obsolete. Their business has, for the most part, devolved on the quarter sessions.

The Coroner's Court is also a court of record. Its duty is to inquire, when any one dies in prison, or comes to a violent or sudden death, by what manner he came to his end; and this must be done *super visum corporis.*

The Court of the Clerk of the Market is incident to every fair and market in the kingdom, to punish misdemeanours therein, as a court of *pie poudre* is to determine all disputes relating to private or civil property. This is the most inferior court of criminal jurisdiction in the kingdom, and, like the tourn and the courts leet, may now be considered as obsolete.

Method of Proceeding.—The method of carrying on a criminal prosecution is next to be described. And first, of the arrest: this is usually done under a warrant; in extraordinary cases, from the Privy Council or Secretaries of State, but ordinarily from a justice of the peace. The warrant may be granted merely on suspicion, but this suspicion must be supported by the testimony of a witness on oath. It is directed to the constable or peace officer of the district in which the offence was committed, and requires him to bring the offender before the justices; which he accordingly is bound to do, if he can be found. The case is then further examined into, and if it appear to the magistrates that there is a sufficiently strong presumption of the guilt of the accused, they commit him to gaol — to the county gaol, if the offence be of that serious nature that it is fitting it should be heard at the assizes, or to the house of correction if it be a minor offence, and such as may be tried at the sessions; in cases which admit of it, instead of committing the prisoner, the magistrate takes bail for his appearance at the ensuing assizes or sessions. Besides an arrest so authorised by warrant, an arrest may be made by a justice of the peace, sheriff, or coroner, or, indeed, by any person where a felony or breach of the peace is committed in their presence, and the offender carried before a justice for committal. Another method of arrest is by hue and cry, which is little else than a public pursuit, raised by the precept of a justice or peace officer; but this method is now obsolete. In cases which do not come within the jurisdiction of a justice of the peace, as perjury, no arrest can be made previously to the indictment; and upon the bill being found by the grand jury, the offender is arrested under a judge's warrant, as will be mentioned after-

wards. The prisoner having been committed for trial, or bail (where this is admitted) taken for his appearance, the next step is the prosecution, which may be carried on in two ways; either by a previous finding of the fact by a grand jury, or without such previous finding. Of the former description, the most usual methods are presentment or indictment; the latter, information.

1. Presentment, as here used, differs only from an indictment in being taken by the grand jury itself, of some offence within their own knowledge, and into which it is their duty to inquire. After the presentment has been delivered into court by the grand jury or inquest, an indictment is framed upon it by the officer of the court, for it is regarded merely as giving instructions for an indictment, to which the party accused must answer. When a presentment is drawn up by the jurors specially returned for the purpose, it is termed an inquisition.

2. An indictment is a written accusation, at the suit of the King, who, in all criminal cases, is considered as prosecutor, of one or more persons of a crime or misdemeanour, preferred to, and presented upon oath by, a grand jury. It must contain the particulars of the charge, set forth with accuracy and precision, and must be supported by evidence. The only witnesses examined, however, before a grand jury are those for the prosecution, as the object of the inquiry is nothing more than to ascertain whether there are sufficient grounds for putting the accused on his trial. The evidence brought before them, the grand jury are bound by their oath not to divulge.

If, upon hearing the evidence, the grand jury think the accusation groundless, they indorse the indictment, "Not a true bill." If, on the other hand, they are satisfied of the truth of its statement, they indorse it, "A true bill." The indictment is then said to be found, and the party stands indicted: but to find a bill, not less than 12 jurors must agree; for it is a rule of the English law, that no man shall be convicted of any capital offence, at the suit of the King, unless by the unanimous voice of 24 of his equals and neighbours; that is to say, by 12 at least of the grand jury assenting to the accusation, and afterwards by the whole of the petit jury, of 12 more, finding him guilty on his trial. The indictment, when so found, is publicly delivered into court. On delivering it, leave is always asked by the court to amend matters of form, not altering matter of substance; for, so strict is the law, that the court could not otherwise amend even the most trifling clerical error.

Informations are of two kinds; 1st. Those which are partly at the suit of the King, and partly for the benefit of the subject; and, 2d. Those which are brought only in the name of his Majesty. The former are usually brought upon penal statutes, which inflict a penalty on the conviction of the offender, one part of which goes to the King, and another to the informer, and which are in the nature of civil actions, differing only in this, that they are carried on by a criminal, instead of a civil, process. Informations which are at the suit of the King only are either filed *ex officio* by the Attorney-General, where the offence immediately affects the Crown or public safety, or in the name of the Master of the Crown Office, when the injury more immediately affects the rights of an individual. No information, however, of the latter description can be filed without the leave of the court in which it is exhibited being previously obtained.

The proceedings upon informations resemble the pleadings in an action, the plaintiff declaring in the same way, and the defendant putting in his plea, and so on until issue is joined, when the question is sent down by *nisi prius*, to be tried at the assizes. Informations can be filed for misdemeanors only; no man can be put upon

his trial for a capital offence, unless the accusation against him be first found sufficient by 12 of his countrymen.

If the accused be not in custody at the time the indictment is found, or the information filed, as in the latter case he never is, process must issue to bring him duly before the court. On an indictment, the judge issues his warrant for the apprehension of the accused party; and on his being arrested, he is either committed to prison or bound over with sureties to appear at the ensuing assizes. In the case of an information, the process is in most cases the same as in civil action, by *capias* and *distringas*. It is usually at this stage of a prosecution, that writs of *certiorari* are had to certify and remove the indictment, with all the proceedings therein, from any inferior court of criminal jurisdiction into the court of King's Bench, which is the sovereign ordinary court in all criminal cases. When removed by *certiorari*, the trial may either be had at the bar of the court, or before the justices on the circuit at *nisi prius*. The method of trial at *nisi prius* has already been described in speaking of civil actions; we shall therefore confine ourselves here to trials on the Crown side of the court. If, on an indictment being found, the offender either appear voluntarily or be already in custody, or be brought into court under the criminal process above mentioned, he is, as it is termed, arraigned. This is nothing more than being called to the bar to answer the charge, which is then read over to him, and he is asked whether he is "guilty or not guilty." If he plead guilty, his confession is recorded, and the court awards judgment. But if he plead in defence, he may plead in two ways; in bar, or the general issue. Pleas in bar are to the jurisdiction of the court, a previous acquittal, or that there is a flaw in the indictment, &c. The validity of these pleas is determined by the judge: but if the defendant takes the general issue, which is "not guilty," he puts himself upon the country, that is, demands trial. In case the prisoner refuse to answer, or answers evasively, the judge directs the plea of "not guilty" to be entered for him. A jury is then called from the jurors in attendance, when either prosecutor (*i. e.* the King) or the prisoner may challenge the array, in other words, object to the whole jury, as being partially or improperly returned by the sheriff; or challenge the jurors individually, as unfit, from their being persons of bad character, interested parties, or some such cause. If the court allow the objection, another jury, or other persons, as the case may be, must be called. As soon as a sufficient unobjectionable number of jurors are called, they are sworn, and the trial proceeds. The case is stated by the counsel for the prosecution, and evidence is adduced and examined in support of it. The defence is then entered upon, and the evidence in support of it brought forward. The prisoner, for this purpose, is allowed counsel to aid him in his defence, but counsel is not allowed, in a capital crime, to address the jury. An act, however, is now before Parliament for remedying this. When the evidence on both sides is closed, the jury give their verdict in the words "guilty or not guilty," in the same manner as in civil cases, only they cannot here give a privy verdict. If the jury find the prisoner "not guilty," he is then for ever discharged from the accusation, and immediately released. But if the jury find him "guilty," he is said to be convicted of the crime of which he was indicted. After an offender has been so convicted, all that remains for the court to do is to pronounce judgment. The degree of punishment is very much in the discretion of the judge. The judgment recorded is, in the majority of cases, death; but in very few is it carried into effect, being generally commuted for some lighter punishment, as transportation. Judgment can only be set aside by reversing it, or by reprieve or pardon. A judgment may be reversed in two ways: 1st. If the error be error in law, apparent on the record, by

a superior court on writ of error; or 2d. For error of fact, in which case it would seem that the writ of error must be brought in the same court. A pardon may be granted, either under an act of parliament, or of the King's free grace, by letters patent under his great seal. If the judgment be not reversed, it must be carried into execution by the sheriff. At the conclusion of the assizes, the prisoners in gaol against whom no one has appeared are discharged by proclamation.

This brief sketch of a criminal prosecution at the assizes will be found, with the necessary alterations, to apply equally to the criminal trials in the other courts. In the quarter sessions, however, a great part of the business consists in hearing and determining appeals from the decisions of the petit sessions; and we ought, therefore, perhaps, to mention the method of proceeding in these cases. Where, indeed, it is an appeal under an act of parliament, the method is usually pointed out by the statute empowering it. In some cases, also, it is necessary, on conviction, for the magistrates making their order to inform the party of his right to appeal. The appeals are entered preparatory to the sessions in the paper of the clerk of the peace, and are usually heard in the order in which they stand. The order or conviction appealed against is then read, and the notice of appeal proved. The party appealing against the order or conviction opens his case, and adduces his evidence in support of it; after which the counsel for the respondents opens his case, and calls his witnesses, in the same manner as at an ordinary trial. The justices are in cases of appeal absolute judges upon all matters of fact, and also, if they think fit, upon all matters of law; they may, however, in all cases where the *certiorari is not expressly taken away* by the statute, send up a case on proved or admitted facts, for the consideration of the judges of the King's Bench. Where the *certiorari* is taken away, the court of King's Bench has no jurisdiction. When the evidence on both sides has been gone through, the chairman takes the opinion of the justices, and pronounces that of the majority. The justices from whose order the appeal is made are not allowed to vote. The chairman has only a single vote like the others; and if the numbers be equal, the proper way is said to be to order the appeal to stand adjourned until the next sessions.

Sect. V. — *Courts of Equity.*

The Courts of Equity are — the Court of Chancery, which is practically divided into three courts, viz. the Lord Chancellor's Court, the Roll's Court, and the Vice-Chancellor's Court, — the Equity side of the Exchequer, — and the House of Lords, as a court of appeal. With the exception of the latter, which has been already described, they are all similarly constituted, and have very nearly the same powers and jurisdictions. Unlike the courts of common law, they have no jury: a single judge presides in each, who decides at once on law and fact. With the exception of the House of Lords, none of them are courts of record. The judges in the Court of Chancery are the Lord Chancellor, the Master of the Rolls, and the Vice-Chancellor*; and on the Equity side of the

* By two bills lately introduced into the House of Lords, by the present Chancellor, it is proposed to substitute a Lord Chief Justice for the Lord Chancellor in

Exchequer, the Lord Chief Baron, or, when his presence is required elsewhere, one of the puisne barons. The Lord Chancellor has been already spoken of in his political capacity. The next in rank to him is the Master of the Rolls; who is appointed by the Crown by letters patent, and holds his office for life. The Master of the Rolls administers justice by himself, in a separate court called the Rolls. He has the power of hearing and determining originally the same matters as the Lord Chancellor, excepting cases of lunacy and bankruptcy; but all orders and decrees pronounced by the Master of the Rolls must be signed by the Lord Chancellor before they are enrolled. The Master of the Rolls is also the chief of the twelve masters in Chancery, and chief clerk in the petty bag office: he is the keeper, also, of all the records of the Court of Chancery, after the decrees and orders have been enrolled; and on that account he was anciently styled *Guardien des Rolles*. The Master of the Rolls ranks immediately after the Chief Justice of the King's Bench: his salary, by the late statute 6 G. 4. c. 84., is 7,000*l.* a year.

Before the passing of the act 3 & 4 W. 4. c. 94. the Master of the Rolls did not hear motions, pleas, or demurrers; and whatever was presented for his decison, other than the hearing of causes, was brought before him by petition. By the above-mentioned act, however, this was altered; and motions, pleas, and demurrers are now heard by him in the same manner as by the other equity judges.

The office of Vice-Chancellor was created by the 53d of G. 3., for the assistance of the Chancellor; he is appointed also by the Crown, by letters patent, and must be a barrister, of 15 years' standing at least. He is styled Vice-Chancellor of England, and holds his office during good behaviour.

The Vice-Chancellor has rank and precedence next to the Master of the Rolls; and his salary is now, by the late statute of 6 G. 4. c. 84., 6,000*l.* a year, clear of all deduction. No fees are allowed.

His duties are to hear and determine all causes, matters, and things depending in the Court of Chancery, either as a court of law or equity, or which have been submitted to its jurisdiction by act of parliament; but no decree or order of the Vice-Chancellor can be enrolled until the same have been signed by the Lord Chancellor. The Vice-Chancellor may sit for the Chancellor in his absence, or in a separate court at the same time, which he generally does. The courts of the Lord Chancellor and Vice-Chancellor may therefore

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the Chancery Court, and in future to confine the judicial duties of the Lord Chancellor to the hearing of appeals in the House of Lords, which is to sit for that purpose throughout the year.

be considered, to a certain extent, as the same. The causes are always set down before the Lord Chancellor; in practice, however, the Chancellor seldom now takes original business, except in matters in which he has exclusive jurisdiction, as in matters of lunacy or bankruptcy, but confines himself merely to appeals. The Master of the Rolls Court, on the other hand, partakes, in its nature, of a separate jurisdiction, and the suitor has his option whether he will have his cause tried by him or the Lord Chancellor; an appeal, however, to the Chancellor lies from the Master of the Rolls, as well as from the Vice-Chancellor, and neither of them can alter or discharge any order or decree of his. Neither can the Vice-Chancellor alter or discharge any order or decree of the Master of the Rolls; nor, on the other hand, the Master of the Rolls of the Vice-Chancellor. A cause, however, which has been heard before the Master of the Rolls may be subsequently prosecuted before the Vice-Chancellor, and so *vice versâ*. The judge on the Equity side of the Exchequer has been already spoken of when treating of the common law courts. The courts of equity have, like the common law courts, various inferior officers, for getting through the details of business. The principal of these are — the registrars, whose duty it is to attend the several courts while sitting, take down the minutes of the decrees, &c., and draw them up; the six clerks, who receive and file all bills, answers, pleas, and other records, &c.; the sworn clerks, who are officers peculiar to these courts, and originated, as indeed the former also did, when these courts were in the hands of the ecclesiastics: formerly they were in orders: they partly perform the duties of attorneys in the courts of common law. The Court of Chancery has also an officer called the accountant-general, to whose charge the property of the suitors is committed. The effects of the suitors consist of cash, stock, exchequer bills, &c., deposited with the Bank of England, who are the bankers of the court. It must not, however, be supposed that the accountant-general has this sum under his arbitrary control; it merely stands in his name, and he keeps an account with the bank according to the several causes and accounts to which the monies and securities respectively belong. Whenever any money is to be paid into or out of the bank, or any investment made, though his privity and concurrence is necessary, the payment is made under an order of the court. But the most important officers of the Court of Chancery, and who, for many purposes, make it superior to the courts of common law, are the Masters in Ordinary, of whom, as we have already said, the Master of the Rolls is the chief. Exclusively of him, they are 11 in number, and are appointed by the king's letters patent: their salaries, previously to the late act of the 3d and 4th of the present

King, were principally derived from fees; by that act, they are now fixed at 2,500*l.* each, and, like the salaries of the Master of Rolls and the Vice-Chancellor, are charged on the Suitors' Fund. To one of these masters, whenever the court is unable to satisfy itself of a fact, or the matter is too intricate or tedious for its investigation, a reference is directed, and the cause stands over until he has made his report. There are also throughout the country Masters Extraordinary, as they are termed, who are also officers of the court; their principal duty consists in taking the affidavits of parties living in the country. The judges in the Court of Chancery sit every day during term in Westminster Hall, Sundays and holidays excepted. The Equity Court of Exchequer sits on certain days, appointed by the judges in it, at the commencement of Easter term and vacations. During the sittings after term the Lord Chancellor sits in Lincoln's Inn Hall, and the Vice-Chancellor in a court near it; the Master of the Rolls at his court in the Rolls Yard; and the Lord Chief Baron, or Puisne Baron (as the case may be), of the Exchequer, in the Hall of Gray's Inn.

The usual hours of sitting are from ten or eleven o'clock in the morning to three or four in the evening.

Immediately after and before each term, the courts usually take a short recess; and in the beginning of August they adjourn for the long vacation, which lasts till the beginning of November.

There are no fixed days for hearing particular branches of business; but, at the commencement of every sitting, each court issues what is termed a seal paper, detailing the plan of disposing of business each day.

The principal subjects which are treated of in a court of equity are trusts, charities, matters of account, fraud, accident, and mistake. By trusts, we mean not merely such as are expressly declared in writing, but such as are so in the construction only of a court of equity, as where one person has contracted with another for the purchase of an estate. The court considers the vendor from the time of the contract as being, in good conscience, a trustee for the purchaser, and on that ground compels him to perform his contract. And this forms one of the most marked distinctions between a court of common law and a court of equity. The former can only give damages for the breach of contract, whereas the latter enforces the performance of it. The decree of the Court of Chancery is therefore said to be *in personam*, not *in rem*. It binds the person, not the subject matter, and calls upon a defendant by subpœna to do what it orders him. In some cases, indeed, in the event of a refusal, the court has now the power to appoint a person to perform the required act in the place of the person refusing. Another advantage of the Court of

Chancery is, that it compels a discovery from the defendant upon oath; which renders it peculiarly adapted in matters of account, mistake, or fraud: but of this we shall have occasion to say more hereafter. The Court of Chancery has also a general jurisdiction in all cases in which the ordinary courts of common law, from a defect in their constitution or forms of proceeding, are insufficient to provide a remedy. Besides these matters of equitable cognisance, in which the courts have equal jurisdiction, there are some which are peculiar to the court of the Lord Chancellor: these are the care of idiots and lunatics. In bankruptcy the Lord Chancellor has also an appellate jurisdiction over the Court of Review, which can be exercised by him alone in all other cases.

The jurisdiction of the Courts of Chancery and Exchequer, in point of extent, is considered *primâ facie* as reaching over the whole of the King's dominions; and if suit be brought in a matter over which some particular court has exclusive jurisdiction, the *onus probandi* lies on the party taking the objection.

Method of Proceeding. — This is nearly the same in all the equity courts, if we except some minor points not worth noticing. A question may be brought before the court in three ways: 1st, By bill or information; 2d, petition; and 3d, by motion. The two latter, however, can in general only be made by parties to a cause actually pending, and are the method used for getting the order or opinion of the court from time to time on questions arising in the progrees of a suit. There are, however, certain cases, under particular statutes, in which the court has the power of proceeding in a summary way upon petition.

A bill differs from an information only in this, that the latter is filed by the Attorney-General, whereas the former is filed by a private individual. Informations refer always to public matters, as charities, or where the interests of the Crown are in some manner concerned. A bill refers to private matters only. A bill, or English bill, as it used formerly to be termed, to distinguish it from the pleadings in the common law courts, which were at that time in Norman French, as well as an information, is addressed to the Lord Chancellor in Chancery, and in the Exchequer to the Chancellor and other Barons of the Exchequer. It commences with a plain statement of the facts of the case, and the points in which the complainant considers himself aggrieved. Next, it goes on to state the grounds of defence which the defendant may be supposed to make, and the complainant's answer to them. This is followed by a general averment that the acts complained of tend to the injury of the complainant, and that he has no remedy except in a court of equity. The complainant then proceeds to interrogate the defendant as to all the matters stated in the foregoing part of this bill, and calls upon him to answer the queries upon oath, according to the best of his knowledge, information, and belief. The whole concludes by a prayer for the relief required, and that the court will issue its subpœna to the defendant to appear and answer. In some cases, where the bill is brought to restrain the defendant from committing any act, as from cutting down timber, an injunction also is prayed, which is an order of the court prohibiting him until the cause shall have been decided. A complainant may have the whole or any part of the relief he asks, or, indeed, a different relief altogether, provided it be not

inconsistent with the case made out by his bill. All parties interested must be parties to a suit in Chancery, a rule which enables the courts of equity to do more complete justice than courts of common law. The bill must be signed by counsel, in order that the court may be assured of its propriety. It is then filed in the Six Clerks' Office; and as soon as this is done the defendant is served with a subpœna requiring him within a limited time to appear and answer. An appearance is effected by the solicitor of the defendant authorising his clerk in court to give notice to the clerk in court of the complainant that he appears for him. If the defendant neglect to appear within the time stated, an attachment issues; and if he be taken, he is committed to the Fleet (which is the prison of the court) until such time as he causes an appearance to be entered. If he cannot be taken, the court may sequester his goods, though it cannot, until after a decree, sell them. If the defendant being taken persist in refusing to enter an appearance, the court may order an appearance to be entered for him, and proceed to make a decree *ex parte*. When the defendant happens to be privileged from arrest as a member of the House of Commons, a sequestration issues at once on his neglecting to comply with the subpœna. A peer, before he is served with a subpœna, has what is called a letter missive sent him, as a mark of respect. In the case of a corporation the subpœna is also immediately followed by sequestration. Where none of these processes can be carried into effect, and there is reason to believe the defendant has absconded purposely to avoid being served, the bill may be taken *pro confesso*, and a decree made *ex parte*. If the defendant, however, happen accidentally to be out of the jurisdiction, and not merely for the purpose of avoiding process, the courts of equity are altogether at fault, and can proceed no further. When an injunction is asked, the court will, in an urgent case, on proper application, grant it even before the defendant is served with a subpœna to appear; but the more usual time for granting it is when the answer comes in, and even in the former case it is usual for the defendant, on the coming in of his answer, to move that the injunction should be removed, or dissolved, as it is technically termed.

Supposing the defendant to have appeared, there are three ways in which he may make his defence; these are by demurrer, plea, or answer. If the plaintiff on the face of his own bill appear not entitled to the relief he prays, the defendant may demur; that is, admitting all the facts alleged in the bill to be true, he submits it to the judgment of the court, whether any case is made out against him. If the bill, however, upon the face of it makes out a case, but there is some other matter not there noticed, and which, if brought forward, would operate as a bar to the plaintiff's claim, the defendant's mode of defence is by a plea, which, as it does not, like a demurrer, admit the plaintiff's case, must be put in upon oath, unless, indeed, he plead some matter of record which cannot be disputed, as an act of parliament or the like. A plea is supported by evidence, like an answer; and may be traversed, and issue may be joined upon the question raised by it. If neither of these modes of defence succeed, the defendant must meet the case upon the merits, and answer; this he does by distinctly answering the interrogatories contained in the bill, stating at the same time the grounds of his own defence. This answer he puts in upon oath; unless in the case of a peer, who answers only on his honour. In cases of an amicable suit, an answer by the consent of the complainant is frequently taken without oath. In consequence of the advantage gained by thus examining a party accused against himself, it not unfrequently happens that a party at law files a bill in equity for the mere purpose of getting a discovery to assist him in his action. A discovery, however, is never permitted except in civil questions. A

defendant cannot be called upon to answer any question tending to criminate himself, and, if asked, he may demur to it. The answer, like the bill, must be signed by counsel, and filed in the Six Clerks' Office. These modes of defence, though stated separately, may be used jointly or not, as the defendant finds it convenient; thus he may demur to the bill as to part, plead as to another part, and answer as to the rest. Upon the coming in of the answer, the complainant is at liberty to take the advantage of any further information it may give, and amend his bill by adding new parties or stating any new facts, and interrogating the defendant as to them; and the defendant is obliged to answer the amended bill in the same manner as the original. When an insufficient answer is put in, the complainant is at liberty to except to it, and to compel a full one to be given. If the complainant find sufficient matter confessed in the defendant's answer to secure a decree in his favour, he may proceed to the hearing of the cause upon bill and answer only; but in this case he must admit the defendant's answer to be in all respects true, otherwise the course is for the complainant to reply generally to the answer; that is, aver his bill to be true, sufficient, and correct, and the answer the reverse. To this the defendant rejoins, which has the effect of putting the question at issue, when both parties enter into evidence, the plaintiff being at liberty to take any advantage of the defendant's answer he can by reading any thing out of it he may think fit. The examination of witnesses is not carried on in open court *viva voce*, as at law, but by depositions in writing. For this purpose interrogatories are drawn up on the points on which the witnesses are to be examined; and if they are in town, their depositions are taken in the Examiners' Office; if in the country, the interrogatories are given to commissioners appointed by the court, and at the instance of the parties sworn to secrecy, whose duty it is to read the interrogatories to the witnesses, and take down their answers. Neither party is permitted to see the depositions taken by the other until publication, as it is termed, passes, when copies are given out to the parties; after which no further witnesses can be examined. The cause is then set down for hearing; and subpœnas are served, by the party setting it down, on the other parties to attend. Stated times are fixed within which all these different proceedings must be taken: thus the defendant has eight weeks to answer in a town and ten in a country cause, which times he may have enlarged for three weeks more if necessary; so also the plaintiff is allowed two months after the answer has been put in to except: but it would be tedious to specify the times limited for all the different proceedings, and the circumstances under which they may be enlarged.

Whenever a party dies, or any change in the interest of the parties takes place, as by marriage or otherwise, it is necessary to bring the new party before the court. This is done by filing a bill against the new defendant, termed a bill of revivor or supplement, stating the change of interest, and praying that the complainant may have the benefit of the previous proceedings against him. To this the defendant answers in the same manner as to the original bill; on which, in default of his doing so within a given time, an order issues for reviving the cause, when the proceedings are restored to the same plight as before. The parties, at the hearing, both appear by their counsel; and when the cause is called on, the plaintiff's junior counsel opens the pleadings, and reads the bill; the defendant's counsel next reads the answer; the plaintiff's senior counsel then argues the case, after which the plaintiff's evidence is read. The defendant's counsel next, in like manner, addresses the court, and reads his evidence; and, when he has finished, the plaintiff's senior counsel replies. The judge then delivers his judgment, and the decree is made, the minutes of which are drawn up

by the registrar. In delivering his judgment the judge, in a case of any difficulty, usually states the grounds of his decision, which are taken down, and stated in the report of the case, and referred to in future as settling the law on that particular point. The decree contains merely the order. If the defendant have filed a cross bill against the complainant, which he sometimes does to elicit a discovery from him, both suits are heard at the same time. Costs do not in equity, as at law, follow the issue of the cause, but are entirely in the discretion of the court which awards them, as the equity of the case requires. It seldom happens that a final decree can be made at the first hearing: in most cases it is found necessary in the first instance to refer the matter to a master, for the purpose of making inquiries; and the further consideration of the question is postponed until he have made his report. The method of summoning parties before the master is by a warrant, granted by the master for that purpose, fixing the time for their attendance. This warrant may be sued out by any of the parties, complainant or defendant, and must be served on all interested in the proceedings. If the parties on being served do not appear, the master proceeds *ex parte*. When the master's report has been obtained, it is carried up to the court, and confirmed on a motion made for the purpose, unless any of the parties except to it, when the exceptions are signed: if allowed, the matter is usually referred back to the master; if not allowed, the report is confirmed, and the cause set down for further or final directions, as the case may be. It sometimes happens that doubtful questions of fact arise. When this is the case, the court for its own satisfaction, before giving a final decree, will direct the question to be tried as an issue before a jury in a common law court. In certain cases this is always done, as where the validity of a will is in question. In a doubtful question of law, the court frequently sends a case for the opinion of the judges before whom it is argued, and who then certify their opinion to the chancellor or other judge; and upon this certificate the decree is usually founded. The chancellor or other judge directing it, however, is not bound either by the verdict or the opinion of the judges; but may, if he thinks fit, decide contrary to them. All matters which occur during the progress of a cause, on which it is necessary to have the opinion or the order of the court, are brought forward either by motion or petition. Of the two, motions are the least formal. Some, indeed, are of course, and do not even require to be mentioned to the court; in these the signature of counsel is sufficient, as showing all is correct. In others again, when any matter is to be discussed, it is necessary to give two days' notice to the opposite party. Petitions, in like manner, are of two kinds, some requiring to be served on all the parties, and others merely of course. Both motions and petitions, when not of course, require to be supported by affidavits; which, in contested cases, must be filed for the information of the opposite parties, who file affidavits in answer. Affidavits are nothing more than depositions as to the matters in issue sworn before a master. The only mode which a court of equity has in general of enforcing its decrees and orders is by attaching the person of the defendant, and imprisoning him for contempt, or sequestering his goods and effects; which, in cases that admit of such a remedy, it may also sell, and out of the produce of the sale satisfy the complainant's demands. In some cases, indeed, the court is empowered to execute its own decrees; but there still are many in which, if the defendant be out of the jurisdiction of the court, or if he stand out all process of contempt, there is no remedy. Until Sir Edward Sugden's late Act, it not unfrequently happened that parties lay in contempt in the Fleet prison all their lives; the writ of habeas corpus, as will be remembered, not being applicable to persons imprisoned for contempt of court. Since that Act, however, one of the masters four

times every year is appointed to visit the Fleet prison, and report upon the cases of contempt.

A petition is addressed in Chancery to the Lord Chancellor or Master of the Rolls; in the Exchequer to Chancellor and Barons of the Exchequer. It contains a statement of the case, with the points in which the petitioner thinks himself aggrieved, and concludes with a prayer for relief. No answer is required.

A decree by the Master of the Rolls, or the Vice-Chancellor, may, as before stated, be appealed from and carried before the Chancellor: an appeal from the Chancellor must be carried before the House of Lords. In strictness, an appeal to the Chancellor is only a rehearing, the decrees of the Vice-Chancellor and the Master of the Rolls being, in fact, his decrees, and as such signed by him; when, therefore, a decree has been once signed and enrolled, it cannot be reheard by the Chancellor, but must be carried by appeal before the Lords. The method of bringing on an appeal is by petition, stating the decree, and the ground on which it is alleged to be erroneous, and praying to have it reversed. A cause may, however, if sufficient ground for it can be shown, be reheard before the same judge who pronounced the decree; or if new matter be discovered, the decree may be reversed on a bill of review. The proceedings on a bill of review are much the same as on an original bill. It states the previous pleadings, the decree, the new matter, &c.; and concludes by praying the former decree may be reversed. A bill of review is also brought in the same court in which the cause was originally heard.

The Court of Chancery is also, in certain cases, as in matters of trustees being lunatics or infants, especially empowered to proceed summarily on petition. This, however, the court never does except in clear cases; wherever there is any doubt, a bill is always ordered to be filed, that the matter may be brought fully before it.

The following Extract from the Parliamentary Returns made a few years ago will show the average Business got through in the Court of Chancery.

	Lord Chancellor.	Vice Chancellor.	Master of the Rolls.	Total.
Causes	32	931	1,790	2,753
Rehearings	5	11	23	39
Appeals	181	—	—	181
Pleas	1	42	—	43
Demurrers	6	121	—	127
Exceptions	79	136	57	272
Further directions	3	264	1,188	1,455
Cause petitions	284	3,632	4,939	8,855
Special motions contested	346	1,838	—	2,184

The average number of bills filed in a year amounts, perhaps, to about 2,300; a number, curiously enough, not greatly exceeding the number filed nearly a hundred years ago, although the property in court has increased in the same period from scarcely 2,000,000*l.* to nearly 40,000,000*l.* On this fund Mr. Cooper, in a work entitled "A proposal for a Public Record Office," makes the following remarks: — "A great part of the business of Chancery consists in the management and application of the corpus and income of the vast property which, for the security of the rights of infants, lunaties, annuitants, remainder-men, and others, is placed under its superintendence. This property, though necessarily changing, does not appear ever to have experienced any diminution in value or amount. That portion of it which consists of monies and stock paid and transferred to the accountant-general, is

stated soon after the institution of that office to have exceeded 1,723,000*l.*, and for several years it has averaged nearly 40 millions. It will excite no surprise that so immense a deposit should, in the course of a century, from non-claim and other causes, have produced large profits. It is from these that the suitors' fund is for the most part derived. Different sums, amounting in the whole to 950,000*l.*, have, under various acts of parliament, been taken out of the cash of the suitors lying dead and unemployed in the bank, and have been invested in the three per cents. to an account, entitled, 'An account of monies placed out for the benefit and better security of the High Court of Chancery.' This fund forms, in consols and reduced, 1,183,058*l.* Part of the income of these investments has been applied by virtue of the same act of parliament in payment of the salaries of sundry officers of the court, and in defraying the expenses of building different offices; and the surplus income has been carried to an account, called 'An account of securities purchased with surplus interest, arising from securities carried to an account of monies placed out for the benefit and better security of the suitors of the High Court of Chancery.' This last sum amounts, in consols and reduced, to a sum of 771,957*l.* A small part of the income is applicable in the same manner as the income of the last-mentioned fund. In round numbers, the total income of both the above-mentioned funds may be called 60,000*l.*, and the total amount of the present yearly charges upon it may be stated at 35,000*l.*, leaving a surplus revenue of 25,000*l.* per annum."

The local Chancery Courts are those of the counties palatine of Lancaster and Durham, each of which has exclusive jurisdiction within its respective county. Their constitution and mode of proceeding are similar to that already described.

SECT. VI. — *Court of Bankruptcy.*

This court was established by an act passed in the 1st and 2d of the present king. Like the Court of Chancery, it is subdivided into three. 1. The Court of Review; 2. The Subdivision Courts; and, 3. The Courts of the Commissioners.

The Court of Review is composed of a chief and two puisne judges, a registrar, and other inferior officers. The chief judge must be a serjeant or barrister of 10 years' standing; and the puisne judges must also be serjeants or barristers of 10 years' standing, or 5 years' standing at the bar, having practised 5 years previously below the bar. They are appointed by commission under the Great Seal. The chief judge has a salary of 3000*l.*, the two others of 2000*l.*, per annum. They must not sit in parliament, nor practise as barristers. This court is a court of record, and at once a court of law and equity: its chief business is to hear appeals from the decisions of the commissioners, which were formerly carried before the Lord Chancellor. It has also, in many cases, an original jurisdiction.

Mode of Proceeding. — All matters to be heard and determined in this court are brought on by way of petition, motion, or special case, according to rules and regulations from time to time to be made by the judges. These forms of proceeding have already been described when speaking of the Court of Chancery. This court, however, may, if it think fit, summon witnesses, and examine them at the bar, in the same manner as a court of common law, which, it will be remembered, the Court of Chancery cannot do. This court, however, may, like a court of equity, send an issue to be tried in a court of common law, though it may also direct a trial at bar, and summon a jury to attend before it for the purpose. An appeal lies

from this court to the Lord Chancellor, and in some cases to the House of Lords. The appeal to the Chancellor is always upon a special case, which must be agreed on by the parties, and settled by one of the judges. An appeal to the Lord Chancellor can be decided by him alone.

An appeal to the House of Lords is allowed only in cases which appear to the Chancellor of sufficient importance, or where both parties wish to have it decided there, when it may be carried up to the House of Lords direct from the Court of Review. An appeal, as has been already described, is brought on by a petition, setting forth the special case, the decision, and praying the reversal of it. Barristers practise in this, in the same manner as in the other courts in Westminster Hall.

Subdivision Courts, and the Courts of the Commissioners. — The Courts of the Commissioners are held in Basinghall Street, in the city of London, one being held before each. The Commissioners are 6 in number, and are appointed in the same manner as the judges of the Court of Review. Their salary is 1500*l.* a year. Like the judges of the Court of Review, they are not allowed to practise as barristers, nor sit in parliament, during such time as they hold their appointment. These commissioners are empowered to form 2 subdivision courts, consisting of 3 commissioners for each court. To these the commissioners may, when any difficult question arises, adjourn the proceedings.

No single commissioner can commit any bankrupt, or any other person examined before him, otherwise than to the custody of the officer of the court; and he must be brought up before a Subdivision Court, or the Court of Review, within 3 days after his commitment. The Subdivision Courts, as well as the Court of Review, are courts of record. Besides the London commissioners, there also commissioners in the country, for conducting such bankruptcies as can be better managed there, or are too trifling to be brought up to town. These are selected by the judges on the circuit, out of the barristers, solicitors, and attorneys on the circuit, and must be submitted to the Lord Chancellor for his approval. The business is conducted before the commissioners in the country in much the same way it is before the London commissioners. An appeal also lies from the decisions of the former to the Court of Review. The Courts of the Commissioners are not courts of record; but all proceedings in them may, on the application of any party interested, be entered of record.

Mode of Proceeding. — A person is made a bankrupt by the fiat of the Lord Chancellor. To procure this, the creditor suing out the fiat must make an affidavit that the person against whom he seeks it is indebted to him to the amount of 100*l.* at the least; or if there be two creditors, to the amount of 150*l.*, if more 200*l.*; that the person is a trader within the meaning of the bankrupt laws, and that he has committed an act of bankruptcy. Besides this, the petitioning creditor must enter into a bond for the payment of all costs and expenses, in case he should fail in supporting his application. These documents he lodges in the office of the Secretary of Bankrupts; and a petition is presented to the Chancellor, upon which the fiat issues as a matter of course. The fiat is a power or authority under the Great Seal to the court, or in the case of a country commission to certain commissioners specially named, to proceed, not only as against the bankrupt and his property, but also against all other persons who by concealment or otherwise shall offend touching the premises, and to do and execute all things towards satisfaction and payment of creditors. In a town commission, as soon as the fiat has been obtained, it is filed of record; after which, on application made, the register allots the fiat to one of the six commissioners, who, on its being brought to him, appoints a time for

opening it. At this meeting the debt, the trading, and the act of bankruptcy must be proved, and witnesses are produced and examined. This being done, the commissioner adjudicates the party a bankrupt, and appoints an official assignee, who is an officer of the court, and who acts in conjunction with the assignees chosen by the creditors, as will be presently mentioned. The commissioner also appoints the public meetings, at which the creditors are called upon to attend, and which usually are two. At these meetings the bankrupt is required to surrender, by an advertisement inserted in the Gazette for the purpose, and by a summons served on him, if he can be found; if not, left at his usual place of abode. The commissioners also issue their warrant directed to an officer of the court, termed the messenger and others, authorising them to seize the property of the bankrupt. At this stage of the proceedings, the bankrupt, if he disputes the adjudication, may present his petition to the Court of Review to have it reversed. At the first public meeting the bankrupt usually surrenders, when an indorsement to that effect is made upon his summons, which protects him from arrest until after he has undergone his final examination. The creditors who have debts to the amount of 10*l.* and upwards each, then choose assignees, who are generally some of themselves, to act conjointly with the official assignee in the management of the bankrupt's property, which is vested in them *ipso facto* by their appointment. In country flats the creditors usually also name a banker, with whom the monies received by the assignees are to be lodged. In London it is lodged in the Bank of England. At this meeting the costs of the parties who have conducted the commission previously are taxed, and paid out of the first monies received. At the second public meeting, the bankrupt is finally examined; and unless the creditors dissent, his certificate is allowed: sometimes the bankrupt does not surrender till this meeting; in all cases, however, he must surrender before 3 o'clock in the afternoon of the 42d day from the day of his being declared a bankrupt, otherwise he will be guilty of felony. The Court of Review may, however, enlarge the time. When he has surrendered, and submitted to be examined, the commissioners may also, if they think fit, adjourn his examination to another day; and so from time to time until he has undergone the whole of his examination. The certificate, when signed by a sufficient number of creditors, is laid before the commissioners for their signature. The creditors may also prove their debts at this meeting.

The subsequent meetings are usually called for the purpose of declaring dividends, or when the assignees are wishful to have the sanction of the creditors to any particular measure: minutes of the proceedings at all these meetings are duly kept, and enrolled of record.

In the course of these proceedings, any difficult question that may arise from time to time is referred to the Subdivision Courts, or carried by way of appeal to the Court of Review. In some cases also, as has been already stated, a reference to the Court of Review is absolutely necessary, as it alone has jurisdiction.

SECT. VII. — *Court for the Relief of Insolvent Debtors.*

This court was created for the relief of prisoners confined for debt, whether in the shape of damages under a decree of court, or for a sum of money owing to another; and, though not strictly a court of justice, ought not perhaps to be altogether passed over. As re-

modelled by 7 Geo. IV. c. 57., it is at present composed of three commissioners, a chief and two puisne ones, who are appointed by the King, and who must be barristers of 10 years' standing at the least. The principal inferior officers are a chief clerk, provisional assignee, and a receiver. It is a court of record, and has power to administer an oath, compel the attendance of witnesses, production of papers, and to fine and imprison, in the same manner as the superior courts at Westminster. In London it sits twice a week the whole year through, the attendance of one commissioner being sufficient; and thrice a year also the commissioners make circuits throughout the kingdom, holding courts at every assize town. In London the place of sitting is in Portugal Street, Lincoln's Inn Fields.

Mode of Proceeding.—This is by a petition presented by the insolvent to the commissioners; in which he states the place where he is confined, the time when he was first charged in custody, together with the name of the person or persons at whose suit he is detained; praying to be discharged, and to have future liberty of person against the demand for which he was then in custody, as well as against all other persons to whom he may be indebted at the time of his presenting his petition. This must be signed by the prisoner, and is filed in the court. At the same time that he presents his petition, he must execute a conveyance of all he is possessed of to the provisional assignee, excepting only necessaries to the amount of 20*l.* in value, which he is allowed to retain; subject nevertheless to a proviso, that if the prisoner does not succeed in procuring his discharge, such conveyance is to be void. Within 14 days after this, the prisoner must deliver in a schedule, giving full particulars of all the debts he owes, as well as of his whole property, whether in possession or expectancy. He is then brought up at a time appointed by the court; and if adjudged entitled to his discharge, he is discharged accordingly. His discharge, however, may be opposed by his creditors; and on sufficient grounds of objection being shown, he will be re-committed. On his discharge, the court appoints new assignees, who are usually chosen out of his creditors, and to whom the provisional assignee then conveys his estate and effects, which are forthwith sold. At the end of 3 months the proceeds are divided among the creditors, according to the schedule given in by the prisoner; though, if any of the debts are disputed by others of the creditors, the court has full power to investigate, and, if proper, to reject them. As a further security, the insolvent, on his discharge, is also required to execute a warrant of attorney, authorising judgment to be entered up against him, in the names of the assignees, to the amount of the debts stated in his schedule; and upon this, if the prisoner become at any time afterwards of ability to pay, the court will, on being satisfied of the fact, permit execution to be taken out. If he become possessed of property which cannot be taken in execution, the court has power, on a petition presented for the purpose, again to take and commit him to prison until he gives it up. On his debts being satisfied, a re-assignment of any part of his property which remains is ordered, and satisfaction entered up on the judgment. Persons discharged under this act cannot be arrested for any debts due at the time of their discharge. No one, however, who has taken the benefit of this act, is again entitled to relief under it until after the expiration of 5 years, unless

three fourths of his creditors consent, and it is made to appear, to the satisfaction of the court, that he has not been guilty of extravagance or imprudence. It is expressly enacted that the relief given by this act is not to extend to uncertificated bankrupts.

SECT. VIII. — *Ecclesiastical Courts*, and Courts of Admiralty.*

The ordinary Ecclesiastical Courts are, — 1. The Provincial Courts, being in the province of Canterbury; the Court of Arches, or Supreme Court of Appeal; the Prerogative, or Testamentary Court; and the Court of Peculiars: and in the province of York, the Prerogative or Testamentary Court, and the Chancery Court. 2. The Diocesan Courts, being the consistorial court of each diocese exercising general jurisdiction; the court or courts of one or more commissaries appointed by the bishop, in certain dioceses, to exercise general jurisdiction within prescribed limits. 3. The Courts of one or more Archdeacons, or their officials, exercising general or limited jurisdiction, according to the terms of their patents or to local custom. And 4. There are also Peculiars of various descriptions in most dioceses, and in some they are very numerous — royal, archiepiscopal, episcopal, decanal, sub-decanal prebendal, rectorial, and vicarial. These courts, indeed, are said to amount to 300. There are also some Manorial Courts.

* The commissioners appointed to inquire into these courts in their report, made in 1832, recommended very great alterations, and a bill is now before Parliament for carrying them into effect. The proposed changes are chiefly as follow: —

All local ecclesiastical courts are to be abolished, and one general court established in London for proving wills. At present, it will be remembered, the ecclesiastical courts have cognisance only of wills, so far as they relate to personal property; so that a will, if it respect real property, must, if disputed, be established in a court of common law. In future, however, this inconvenience is to be obviated, and the same court is to have jurisdiction in both cases: wills of both kinds of property are also to be executed in the same way. The new court is also empowered to examine witnesses *vivâ voce*, and, in cases which require it, to summon a jury. The bishops are still to retain their jurisdiction over their clergy, excepting only in criminal cases; in which it is to be abolished altogether: for the former purpose, however, a new species of tribunal is to be created. The jurisdiction in matters of title is also to be taken from the ecclesiastical courts, which are found wholly insufficient for the purpose, and to be transferred to the Court of Exchequer. The jurisdiction of these courts, in respect to church rates, is also to be abolished, and all disputes concerning them subjected to the same course as those connected with poor rates, viz. an appeal to the quarter sessions. The bill also proposes to abolish the authority of ecclesiastical courts in the repression of immoral practices, which are to be left to the ordinary operation of the common or statute law. It also regulates the mode to be pursued in the sequestration of livings. (May 3. 1836.)

The provincial courts of the Archbishop of Canterbury and the Archbishop of York are independent of each other; the process of one province not running into the other, but being sent, by a requisition, to the local authority for execution. An appeal from each provincial court lies to the King; who, by the late act, is empowered to refer it to the judicial committee of the privy council, to hear and determine the matter in contest. The Court of Delegates is now done away.

These courts are for the most part similarly constituted. A single judge presides in each. He is appointed by the archbishop, bishop, archdeacon, as the case may be, in whose court he presides. In a peculiar he is not appointed by the individual having the jurisdiction. These courts are not courts of record.

Of the three principal Archiepiscopal Courts of Canterbury, the Court of Arches is the first. This court exercises the appellate jurisdiction from each of the diocesan and most of the peculiar courts within the province. It may also take original cognisance of causes, by letters of request from each of those courts; and it has original jurisdiction on subtraction of legacies given by wills proved in the Prerogative Court of Canterbury.

The Prerogative Court has jurisdiction of all wills and administrations of personal property left by persons having *bonâ notabilia* or effects of a certain value, in divers jurisdictions within the province. A very large proportion, not less than four-fifths of the whole contentious business, and a very much larger part of the uncontested, or, as it is termed, *common form business*, is despatched by this court. Its authority is necessary to the administration of the effects of all persons dying possessed of personal property to a specified amount within the province, whether leaving a will or dying intestate; and from the very great increase of personal property, arising from the public funds and the extension of the commercial capital of the country, the business of this jurisdiction, both as deciding upon all the contested rights, and as registering all instruments and proofs in respect of the succession to such property, is become of very high public importance.

The Court of Peculiars, which is the third archiepiscopal court of Canterbury, takes cognisance of all matters arising in certain deaneries: one of these deaneries is in the diocese of London, another in the diocese of Rochester, another in the diocese of Winchester, each comprising several parishes; and some others, over which the archbishop exercises ordinary jurisdiction, and which are exempt from, and independent of, the several bishops within whose dioceses they are locally situate. The province of Canterbury includes 22 dioceses;

reckoning the diocese of Canterbury itself, where the ordinary episcopal jurisdiction is exercised by a commissary, in the same manner as in other dioceses.

The province of York includes 4 dioceses, besides that of Sodor and Man; and the archiepiscopal jurisdiction is exercised therein much in the same manner as in the province of Canterbury.

The diocesan courts take cognisance of all matters arising locally within their respective limits, with the exception of places subject to peculiar jurisdiction. They may decide all matters of spiritual discipline; they may suspend or deprive clergymen, declare marriages void, pronounce sentence of separation *à mensâ et thoro*, try the right of succession to personal property, and administer the other branches of ecclesiastical law. It is usual, however, in the country courts, to send up cases that arise by letters of request to the Court of Arches. The Archdeacon's Court is generally subordinate, with an appeal to the Bishop's Court; though, in some instances, it is independent and co-ordinate. The Archdeacon's Courts, and the various Peculiars already enumerated, in some instances take cognisance of all ecclesiastical matters arising within their own limits, though the jurisdiction of many of the Peculiar Courts extends only to a single parish; the authority of some of them is limited to a part only of the matters usually the subject of ecclesiastical cognisance. Several of the peculiars possess voluntary, but not contentious jurisdiction.

The ecclesiastical jurisdiction comprehends causes of a civil and temporal nature; some partaking both of a spiritual and civil character; and, lastly, some purely spiritual.

In the first class are testamentary causes; matrimonial causes for separation and for nullity of marriage, which are purely questions of *civil* right between individuals in their lay character, and are neither spiritual nor affecting the church establishment.

The second class comprises causes of a *mixed* description, as suits for tithes, church rates, seats, and faculties.

The third class includes church discipline, and the correction of offences of a *spiritual* kind. They are proceeded upon in the way of *criminal* suits *pro salute animæ*, and for the lawful correction of manners. Among these are offences committed by the clergy themselves, such as neglect of duty, immoral conduct, advancing doctrines not conformable to the articles of the church, suffering dilapidations, and the like offences; also by laymen, such as brawling, laying violent hands, and other irreverent conduct in the church or churchyard, violating churchyards, neglecting to repair ecclesiastical buildings, incest, incontinence, defamation: all these are termed "causes of correction," except defamation, which is of an anomalous character. These offences are punished by monition, penance, excommunication, suspension *ab ingressu ecclesiæ*, suspension from office, and deprivation.

The ecclesiastical laws, as now existing, have been for upwards of three centuries administered, in the principal courts, by a body of men associated, as a distinct profession, for the practice of the civil and canon laws.

Some of the members of this body, in the year 1567, purchased the site upon which Doctors' Commons now stands; and, at their own expense, erected houses for the residence of the judges and advocates, and proper buildings for holding the ecclesiastical and admiralty courts, where they have ever since continued to be held. In the year 1768 a royal charter was obtained, by virtue of which the

then members of the society, and their successors, were incorporated, under the name and title of "the College of Doctors of Law exercent in the Ecclesiastical and Admiralty Courts." This College consists of a President (the Dean of the Arches for the time being), and of those Doctors of Laws who have regularly taken that degree in either of the universities of Oxford or Cambridge, and having been admitted advocates, in pursuance of the rescript of the Archbishop of Canterbury, have been elected fellows of the college, in the manner prescribed by the charter. According to the present constitution of the College of Doctors of Law, no person can be admitted a member, or allowed to practise as an advocate in the court at Doctors' Commons, without having first taken the degree of doctor of laws in one of the English universities. From the College of Advocates the archbishop always selects the judges of the archiepiscopal courts.

Proctors in these courts discharge duties similar to those of solicitors and attorneys in other courts. In order to entitle a person to be admitted a proctor, to practise in the Court of Arches, it is required that he shall have served a clerkship of seven years, under articles, with one of the 34 senior proctors, who must be of 5 years' standing; and who, by the rule of the court, is prohibited from taking a second clerk until the first shall have served 5 years, except in the event of the death of a proctor, to whom a clerk may have been articled, before the term of his clerkship in completed. In this case any other of the 34 senior proctors may take such clerk for the remainder of the term, although he himself may at the same time have a clerk of less than 5 years' standing. Before a clerk is permitted to be articled, he is required to produce a certificate of his having made reasonable progress in classical learning. When the term of 7 years is completed, the party is admitted a notary, by a faculty from the Archbishop of Canterbury. The proctor so admitted is qualified to commence business upon his own account immediately; but he is not entitled to take an articled clerk, until he shall have been for 5 years within the number of the 34 senior proctors.

Mode of Proceeding. — The mode of commencing the suit, and bringing the parties before the court, is by a process called a citation, or summons, containing the name of the judge, the plaintiff and the defendant, the cause of action, and the time and place of appearance. This citation, in ordinary cases, is obtained as a matter of course from the registry of the court, and under its seal; but in special cases the facts are alleged in what is termed an Act of Court, and upon those facts the judge, or his surrogate, decrees the party to be cited; to which, in certain cases, is added an *intimation* that if the party does not appear, or if appearing does not show cause to the contrary, the prayer of the plaintiff set forth in the decree will be granted.

The party cited may either appear in person or by his proctor, who is appointed by an instrument, under hand and seal, termed a proxy. The proctor thus appointed represents the party, acts for him, and manages the cause, and binds him by his acts.

In testamentary causes the proceeding is sometimes commenced by a *caveat*, entered by a party interested in the effects of the deceased person, against the grant of any representation either by probate or letters of administration, without notice being first given to him who enters the caveat. The person entering this caveat is then *warned* by the party claiming the representation, either as executor or administrator, which is in effect a notice to the proctor entering the caveat, that he must appear and take further steps, if he intends to continue his opposition; both parties are then *assigned*, by order of court, to set forth their respective claims;

and the suit thus commences, either to try the validity of an alleged will, or the right to administration, either as under an intestacy or with a will annexed.

There is another process in testamentary matters extremely useful and frequently resorted to, which it may be proper here to state. The executor, or other person claiming to take the grant of probate of a will or other testamentary instrument, may cite the next of kin and other parties interested, under an intestacy or a former will, to appear and see the will propounded and proved by witnesses; and if the parties cited do not appear and oppose the probate, they are barred from afterwards contesting its validity, unless on account of absence out of the kingdom, or the like, sufficient cause for non-appearance be shown.

So again, the next of kin, or other parties entitled either to the grant of administration or under a former will, may cite the executor or other person apparently benefited under a suggested will or testamentary instrument to appear and propound it, or otherwise show cause why administration should not be granted to the deceased, as having died intestate, or probate decreed of a former will; and the parties cited not appearing, are barred from afterwards setting up the will.

But if probate or administration be taken in *common form*, without citing persons having an adverse interest, the grant may afterwards be *called in*, and the executor or administrator cited, and put upon proof of his right, as if no such *common form* grant had issued.

Again, where no grant is applied for by the persons primarily entitled to it, such as an executor, residuary legatee, or next of kin, process may be taken out by any person claiming an interest in the effects of the deceased, such as a legatee, a party in distribution, or a creditor, calling upon the persons primarily entitled to accept or refuse the grant, or otherwise to show cause why it should not pass to such person claiming an interest. Or if a person die intestate, without leaving any known relations, a creditor may obtain the grant, upon advertising for next of kin in the Gazette and a morning and evening newspaper, serving a process on the Royal Exchange and on the King's proctor, the Crown having a right to take the grant if desired.

In all these and similar cases, the facts must be supported by affidavit; due notice is required to be given, and the grant is moved for before the court at its sitting.

The mode of enforcing process, in case of disobedience, is by pronouncing the party cited to be contumacious; and if the disobedience continues, a *significavit* issues, upon which an *attachment* from Chancery is obtained to imprison the party till he obeys. In cases where some act is required to be done by the party cited, to exhibit an inventory and account, for instance, or to pay alimony, the compulsory process is enforced; but in some cases, where no act is to be done by the party cited, the plaintiff may proceed *in pœnam contumaciæ*, and the cause then goes on *ex parte*, as if the defendant had appeared.

The party cited, to save his contumacy, may appear under protest, and may show cause against being cited; such as that the court has no jurisdiction in the subject matter, or that he is not amenable to that jurisdiction: this preliminary objection is heard upon petition and affidavits; and either the protest is allowed and the defendant dismissed, or the protest is overruled and the defendant is assigned to appear absolutely, and costs are generally given against the unsuccessful party. Either party may appeal from the decision on this preliminary point; or the defendant, in case the judge decide against him on the question of jurisdiction, and on some other questions, may apply to a court of law for a prohibition.

Some other points, such as the claim to administration among persons of admitted equal degree of kindred, objections to an inventory and account, and other similar matters, may be heard upon petition and affidavit, where the facts are not of such a nature as to require investigation in the more formal proceedings of regular pleadings and depositions, with the benefit of cross-examining witnesses.

The form of the pleadings is next to be described. These contain a statement of the facts relied upon and proposed to be proved by each party in the suit, the real grounds of the action and of the defence.

Causes, in their quality, are technically classed and described as plenary and summary, though in modern practice there is substantially but little difference in the mode of proceeding. All causes in the Prerogative Court are summary; so are proceedings in appeals before the Privy Council, whatever be the character of the original causes; but other causes, whether of a criminal or civil nature, are plenary.

The first plea bears different names in the different descriptions of causes. In criminal proceedings, the first plea is termed the articles; in form, it runs in the name of the judge, who articles and objects the facts charged against the defendant. In plenary causes not criminal, the first plea is termed the libel, and runs in the name of the party or his proctor who alleges and propounds the facts founding the demand. In testamentary causes, the first plea is termed an allegation.

Every subsequent plea in all causes, whether responsive or not, and by whatever party given, is termed an allegation.

Each of these pleas contains a statement of the facts upon which the party founds his demand for relief, or his defence, resembling the bill and answer in equity, except that the allegation is broken into separate positions or articles: the facts alleged are classed under separate heads, according to the subject matter, or the order of time in which they have occurred. Under this form of pleading, the witnesses are produced, and examined only to particular articles of the allegation, containing the facts within their knowledge; a notice or designation of the witnesses being delivered to the adverse party, who is thereby distinctly apprised of the points to which he should address his cross-examination of each witness, as well as the matters which it may be necessary for him to contradict or explain by counter-pleading.

Before a plea of any kind, whether articles, libel, or allegation, is admitted, it is open to the adverse party to object to its admission, either in the whole or in part: in the whole, when the facts altogether, if taken to be true, will not entitle the party giving the plea to the demand which he makes, or to support the defence which he sets up; in part, if any of the facts pleaded are irrelevant to the matter in issue, or could not be proved by admissible evidence, or are incapable of proof.

The objections are made and argued before the judge, and decided upon by him: if the plea is admitted, the further opposition may be withdrawn; in the other case, if the plea is rejected, the party offering it either abandons the suit, or appeals, in order to take the judgment of a superior tribunal. When a plea has been admitted, a time or term probatory is assigned to the party who gives the plea to examine his witnesses; and the adverse party is assigned, except in criminal matters, to give in his answers upon oath, to his knowledge or belief of the facts alleged.

The defendant may proceed then, if he think proper, or he may wait until the plaintiff has examined his witnesses, to give an allegation controverting his adversary's plea. This responsive allegation is proceeded upon in the same manner; objections to its admissibility may be taken, answers upon oath be required, and wit-

nesses examined. The plaintiff may, in like manner, reply by a further allegation; and on that, or any subsequent allegation, the same course is pursued.

The attendance of witnesses is compelled by what is termed a "compulsory," being somewhat in the nature of a subpœna; obedience to which is enforced as in other cases of contumely. When witnesses live at any distance from London, a commission issues to take their evidence in the country. When they live near town, their depositions are taken by the examiners of the court. They are not taken, as in equity, upon interrogatories previously drawn up; but the allegation is given to the examiner, who makes himself master of the fact charged, and examines the witness, and takes down his answers. The cross-examination is upon written interrogatories, which are delivered to the examiner by the party cross-examining when the examination has been concluded, and not before publication, as it is termed, passes and copies of the several depositions are delivered out to the parties. The evidence being completed, the cause is now set down for hearing. All the papers, pleas, exhibits, interrogatories, and depositions are delivered to the judge, that he may peruse them previously to trial. All causes are heard publicly in open court, and, on the day appointed for hearing the cause, are opened by the counsel on both sides, who state the points of law and fact which they mean to contend for in argument. The evidence is then read, and the whole case argued and discussed by counsel. The judgment of the court is then pronounced upon the law and the facts of the case, in doing which the judge usually assigns the grounds of his decision. The execution of the sentence, in case there be no appeal interposed, is either completed by the court itself, as, by granting probate or administration, or remains to be completed by the act of the party, as exhibiting an inventory and account, &c.; in which cases execution is enforced by the compulsory process of contumacy, significavit, and attachment. The costs are in the discretion of the judge, who usually gives them according to the equity of the case, as in Chancery.

The Court of Admiralty. — The Court of Admiralty is held before the Lord High Admiral or his deputy, who is called judge of the court. When there was a Lord High Admiral, the judge of the Admiralty held his place most commonly by patent from him, and was called his lieutenant, as the vice-admirals of the several districts were called deputies. The judge now holds his place by direct commission from the Crown, under the great seal: to him appeals lie from the Vice-Admiralty Courts in the West Indies and other plantations and settlements; and that on revenue causes as well as others, which had been doubted, and the Privy Council alleged to be the only proper court of appeal. The Court of Admiralty is twofold: the Instance Court, which takes cognisance of contracts made and injuries committed on the high seas; and the Prize Court, which has jurisdiction over prizes taken in time of war. The commissions to hold these courts are perfectly distinct, though usually given to the same person. The Instance Court is governed by the civil law, the laws of Oleron, and the customs of the Admiralty modified by statute law.

The Prize Court is to hear and determine according to the course of the Admiralty and the law of nations.

From the Instance Court an appeal lies to the king, by whom it is referred to the judicial committee of the Privy Council. An appeal from the Prize Court also lies to the Privy Council.

The jurisdiction of the Admiralty as a criminal court, which it once possessed, seems now withdrawn, and given to the ordinary courts of common law; and any offence committed on the high seas may, for the purpose of being tried in them, be alleged to have been committed in any county of England.

Besides these courts which have a general jurisdiction throughout the kingdom, the Cinque Ports and some other places have courts of a limited jurisdiction of their own. The Vice-Admiralty Courts exist only in the colonies.

The method of proceeding in these courts so nearly resembles the method of proceeding in ecclesiastical courts, as scarcely to make it worth while to describe it. Like them they are held at Doctors' Commons, and the practice in them is confined to the doctors and proctors.

CHAPTER V. — MUNICIPAL CORPORATIONS.

A CORPORATION generally is a collection of individuals united in one body and endowed by special act, either of the crown or of the legislature, having the means of continued identity as such, with the capability of holding property, and contracting liabilities, belonging or attaching to them in common, as members of such body, and to each member in proportion to his share or interest in the common stock; having, further, the right of suing and being sued in their common name, of binding themselves by their common seal, and being considered in law for all the common purposes of its institution as a single person.

The word corporation, with the addition of sole, is also applied to single persons holding for life an office in itself perpetual, to which are permanently attached property and rights to be enjoyed and exercised by the successive holders of such office; — as, for instance, a parson is a corporation sole, — another division of corporations is into lay, ecclesiastical, and municipal, according to the purposes of their institution.

The latter, of which we now treat, is a corporation aggregate, established for the purposes of municipal government, within certain limits, usually those of a pre-existing borough; and is, in fact, the successor appointed by charter, to exercise or enjoy the municipal franchises anciently vested by charter or prescription, in the burgesses or borough officers; so that a short view of the history and constitution of boroughs is a proper, and, in some respects, necessary introduction to the subject of municipal corporations.

The word borough is most commonly derived from the Saxon *borg*, signifying an enclosed place; as it appears from the most ancient records, that most, if not all, boroughs were originally enclosed by a wall, and the primary object which led to the formation of boroughs was probably protection to the trading part of the people, by means of such enclosures. Others, however, derive the term from a Saxon word similar in sound to the former, signifying *pledge*, and properly applied to the associations for mutual responsibility required by the Saxon law; in which sense it is used in the words, head-borough and free-borough; and may not improbably have been transferred to the larger association, of which we now treat. Apart from its derivation, the term has been and still is employed to signify a town of sufficient importance to have obtained, either by charter or by prescription, which implies a grant, a separate existence as a community, *i. e.* having within

itself, in a greater degree than the ordinary rural divisions, the power of self government, and possessing or being subject to a special jurisdiction, in some matters, whether constituted or not by its own appointment.

Communities of this sort must have arisen in this country, and, indeed, in every other, so soon as the distinction was well established between the habits and habitations of the agricultural and trading parts of the population; but our historical knowledge of them begins with the Romans, who introduced their own municipal system into many of the larger towns of this kingdom, whether of Roman or British origin; such as York, Verulam, London, and Chester. These, however, were for the most part either destroyed or remodelled by the Saxon conquerors; who substituted in their stead their own burgh, the root, as well in constitution as in name, of the English borough. These again, particularly, in the north and some of the midland counties, underwent great change, and suffered, in some cases, total ruin, at the hands of the Danish invaders — a people averse from trade and trading communities, who laid waste many then flourishing towns, and dispersed their inhabitants, founding in their stead, only five boroughs of purely Danish origin — Derby, Nottingham, Leicester, Lincoln, and Stamford. The Danish population of these towns was in its turn dispersed by the Saxons, though traces were left in them, as in some others, of Danish innovations, of which the distinguishing feature was the substitution of an hereditary for an elective magistracy. Little, however, is to be found concerning the internal state of boroughs in the historical remains of the times preceding the Conquest; and though charters were granted to some boroughs by the later Saxon kings, Domesday Book is the first authentic record, from which any comprehensive and coherent account of their general condition, and that not without the aid of contemporary and subsequent documents, can be derived.

From these, it would appear, that under the name of boroughs, which applies also to cities, and of which 82 are mentioned in Domesday Book, there existed, at the period of the Conquest, a variety of communities differing greatly in extent of power, and in their degree of independence on the general government: some few were, like London, almost separate though tributary republics; being, however, upon the whole, sufficiently similar in their character and constitution, to fall within the same general description. To speak then only of the common features, a borough, in these early times, was a trading community, that is, a community established for the purpose of supplying to the neighbourhood the common articles of manufacture or commerce; being for this purpose endowed with the necessary franchise or license of holding a fair or market within its precincts, and posessing, further, that degree of jurisdiction within itself, which was requisite for the maintenance of internal tranquillity, and which exempted it from the burthen of attendance upon the court of the hundred, and from all duties and liabilities incident to other inhabitants of the hundred as such. It was this latter exemption that seems to have constituted a borough, for the franchise of a fair or market was common to them with many other townships; but every borough took rank as a hundred, and had within itself the same court-leet which be-

longed to all hundreds; that is, a court for the trial of petty offences, and the presentment of nuisances; to which was also usually attached a court of view of frank pledge, to which all freemen within the district were bound to do suit, and there enter their pledges for good behaviour. Such jurisdiction, though exercised for the convenience and with the assistance of the burgesses, was, according to the ancient constitution of boroughs, exercised by the officer of the king, who was called port-reeve or borough-reeve, or, in some cases, by the deputy of the lord of the leet, under the name of bailiff (a word, in its original meaning, equivalent to *lessee*). In each of these cases, the fines and perquisites of the jurisdiction, which led to the administration of justice being considered as a property, belonged to the king or lord on whose behalf they were levied. In some boroughs which, even in those early times, were of sufficient size to be divided into wards, the alderman of each ward (an officer usually elective, but in some cases hereditary,) exercised in conjunction with the reeve, the jurisdiction of the leet. In addition to the lord of the leet, who, in most cases, was the king, there was the lord of the borough; that is, of the land of the borough; and it is observable, that in this sense the borough might belong, from the effect of partial alienation, to different lords; or, at any rate, different parcels of it might be the property of different lords; which is the meaning of the repeated entries in Domesday Book, of such a one having so many burgesses in such a place, and another so many others, also in the same place; though, even in such cases, they continued in some respects, as, for instance, in respect of any common land which belonged to them as a community, to hold of one lord, and all of them, in the last resort, held their franchises of the king.

A borough also, as part of a manor, or as being itself a manor, was subject to the baronial jurisdiction, in civil matters of small importance, of the lord of such manor, and, if the borough comprised, wholly or in part, several manors, then to the jurisdiction of the lords of such several manors.

The incidents of tenure in borough lands were originally the same as in other lands; but whether, from the smallness of their subdivisions, or from the nature of the employments in which their occupiers were engaged, they escaped from the imposition of the feudal or military service, and burgage tenure retained, as stated in our law books, the character of the ancient tenure in common socage; that is, tenure by rent or service certain.

Taking together in one view the incidents of jurisdiction and of ownership, and also of other franchises exercised within the borough, but belonging to some lord, the revenues arising from a borough, and consequently the outgoings to which the burgesses were liable, consisted, as enumerated by Maddox in his treatise on the *Firma Burgi*, of the rent or custom payable for each tenement singly, as well as that which was levied from the borough at large under the name of *gabel*; which is not to be confounded with the taxes occasionally imposed, the tolls of fairs and markets, the profits of aldermanries, the fees and perquisites of courts. These were generally levied by a bailiff, acting on behalf of the king or other lord of the borough or franchise, and assisting in the exercise of the borough jurisdiction.

It became usual after the Conquest to grant out these revenues, to the

whole, or to a part only of the community, either for ever at a fee farm rent, or for a term of years. Such grant, more particularly if made to the whole burgesses, was a species of enfranchisement, and carried with it the right, if not before enjoyed, of appointing the officers who were to exercise the jurisdiction and collect the profits which had thus become the property of the borough. The titles of the officers, who had previously acted on behalf of the king or other lords, under the name of reeve and bailiff, continued to be retained, (in many instances as to that of reeve, and in most instances as to that of bailiff,) till the final remodelling of the municipal system, with the common addition of mayor, — a new municipal officer, supposed to be acting on behalf of the Crown, whose name originally denoted the chief or senior alderman of the borough. The functions also of such of the old officers as were still retained, received different modifications in different places, so that the same office did not imply the same duties and station in one borough which it did in another.

These grants were usually accompanied with charters confirming or defining the ancient franchises, and conferring new ones; such as immunity from all the king's tolls, of which the grant seems to have constituted a *free* borough, as distinguished from a borough simply. This immunity belonged originally, without any grant, to all boroughs which were part of the ancient demesnes of the Crown; and it extended, in this case, to all tolls, whether levied by king or subject. Exemptions from certain rules of common law were also, in some cases, granted by these early charters; as, for instance, the right of devising property within the borough: but the descent of land to the youngest son, in exclusion of the elder brother, which prevailed in some boroughs, was founded, not on charter, but on the peculiar custom, called Borough-English. From the charters of this period originate, for the most part, the civil jurisdiction exercised by municipal officers in a court of record; and many extensions also of their criminal jurisdiction date from the same time; though it was not till the reign of Richard II., that a commission of the peace, and the right of holding general and petty sessions, was granted to any borough. A city only differed from a borough, in being the seat of a bishop, who, in the the Saxon times, possessed an extensive jurisdiction, both civil and criminal, and assisted the earl, or sometimes supplied his place, in presiding over the county court. Some cities, and even a few boroughs, were, from time to time, raised to the rank of counties; that is, were, in all points of jurisdiction, entirely exempted and made distinct from the county in which they were situate, and had within themselves a court in the nature of a county court, held by their own sheriffs. The parliamentary franchise by possession of a freehold, existed also along with the various borough franchises, in such towns or cities, of which there are now seventeen in England and two in Wales.

There is reason to believe, that all persons of free condition, possessing a tenement within the borough, residing within its limits, and contributing to its common charges, were originally (according at least to Saxon usage,) entitled to be placed on the roll of burgesses, at the court-leet of the borough. But the disproportion between the number of houses and that

of burgesses in the same places, as severally recorded in Domesday Book, is too great to admit of the belief that such right was at that time generally acted on. It is, however, not improbable, that the right may have been in such places impaired, by neglect on one side, and usurpation on the other; considering that the advantages and burthens incident to burgesship may have been in such boroughs as had little traffic, very nearly balanced. The right may also have been, even at that early period, restricted, either to the tenants of houses situate within the ancient limits of the borough, (which might be very different from those of the borough as it afterwards existed under the same municipal government,) or to the tenants of houses built upon the foundations of those possessed by the original burgesses, to whom and to whose *heirs* the franchise had been granted. It may also, not improbably have been confined to the sons of burgesses. It appears, however, that free persons, residing or coming to reside within the borough (and villains having dwelt in the borough for a year and a day, unclaimed by their lords, stood upon the same footing), were frequently admitted, if not to the full burgesship, at any rate, to a considerable share of the borough franchises; subject to the condition of inhabitancy and contribution to the common charges, and usually also upon payment of some fine. So also similar rights were acquired by apprenticeship or service in trade for seven years, to one already free of the borough. But apprenticeship is not mentioned in any statute before the reign of Edward II.; and the franchise acquired by that means, and in the way immediately before mentioned, was more probably that of member of the guild merchant, than that of burgess.

The guild merchant, which existed in most boroughs of any importance; and which has been held by some writers to have constituted the borough itself, was an association, by licence or charter of the crown, of all trades within the borough. It was, in fact, an incorporation for trading purposes of the borough itself. Its members being possessed of peculiar privileges; and having also, in some matters relating to trade, the benefit of a separate jurisdiction, exercised by their own officers in their own guildhall, generally succeeded in engrossing whatever privileges and jurisdiction originally belonged to the burgesses; so that the borough itself became lost, and merged in the guild merchant. The substitution of the title of freeman for that of burgess, which took place in many boroughs, appears to have been the consequence of this change, and to have originated in the custom of admitting the free inhabitants or residents, either after apprenticeship, or in the way of purchase, to be members of the guild. After the consolidation of the borough with the guilds' merchant had rendered such admission equivalent to enrolment on the burgess list, the right of conferring, in this way, the freedom of the borough devolved upon the mayor, in some instances, alone, in others, conjointly with other municipal officers; but it is difficult to say how far such power was discretionary in their hands.

In many places a similar right to the burgesship, or freedom of the borough, was successfully asserted by the guild of separate trades, — associations distinct from the guild merchant, and apparently similar to the colleges of workmen among the ancient Romans. This was particularly the case with

the city of London, for here the rights of burgesses or freemen have long been the exclusive possession of the liverymen of the different trading companies; though the old division into wards, and the mode of election according to wards, still subsists. In the cities of the continent, particularly of Germany and Belgium, where the collective municipal body, though originally mercantile in its objects and composition, had risen to the rank of a territorial community, and affected in some degree, towards the subordinate companies, the usages of a feudal sovereign, such struggles between the senate, or council of the town, and these guilds, were of greater frequency and importance: in England, though not uncommon, the contests have been for the most part unnoticed.

The freedom of the borough, being thus engrafted upon what were originally trading rights, whether belonging to the members of separate guilds, or to those of the guild merchant, remained, like those prior rights, and possibly also the ancient right of burgesship, transmissible by descent; though with many different modifications of the inheritable right; as, that the freedom in some places was confined to children born within the borough, in others to those born since the acquisition of freedom by the father; in many others the right descended upon the eldest son only. The acquisition of freedom by marriage with the daughter of a freeman, which was very commonly allowed, arose from the right by descent.

The charters granted previously to the time of Henry VI., in no way pretended to regulate the internal constitution of boroughs. They were simply grants of such franchises as have been described to the men and burgesses of such a place, and either to their successors or heirs; leaving it to the grantees to settle among themselves the repartition and administration of these franchises. The consequence of thus leaving matters to take their natural course, was that small, and in many cases self-elected, bodies, under various shapes and designations, assumed to themselves the administration, if not the exclusive enjoyment, of the immunities and property bestowed on all. The pretext, as well as the mode of accomplishing usurpations, seems to have been found in the ancient constitution of the borough leets, of which the jury, whose business it was to authenticate the title and to accept the enrolment of each burgess, might easily be converted into, or at any rate afford a precedent for, the institution of a permanent body of select burgesses. These, co-operating with the ancient borough officers, and those of the guilds or guild, ultimately succeeded, in many places, in assuming, not only the power of municipal government, but the right of declaring who should be entitled to any share in the municipal constitution.

The right of returning members to parliament, exercised for the first time by boroughs in the 26th of Edward I., became in many cases, and with corresponding variations in the mode and extent of restriction, the subject of similar monopoly; the usurpation in this instance being carried on with more ease, as the privilege was at first viewed with comparative indifference; and being probably assisted by the prevalent practice of a few principal burgesses signing the return on behalf of the whole. Seventy-five boroughs were

originally summoned by Edward, but he afterwards extended the franchise to thirty-three others.

In the reign of Henry VI. a considerable alteration took place in the style of borough charters. It was then, it is said, that charters of incorporation were first granted: not but that boroughs had virtually before that time the two distinctive privileges of a corporation, viz. the holding land in succession, and the right of suing and being sued in a common name, and by some acting on behalf of the whole; but, with the progress of jurisprudence, and the introduction of a greater strictness in the discussion of legal rights, it probably became neither convenient nor safe in many cases to trust to usage and prescription for the enjoyment of such corporate privileges.

Hence the great and, in some cases, the sole purport of the charters of this and the subsequent reign, was to grant to the men and burgesses of such a place to be a corporation, with the use of a common seal, the capability of holding property in succession, and the right of suing and being sued by their corporate name. Such charters of incorporation generally included the mayor, bailiffs, and burgesses, with the addition, in many cases, of the "inhabitants;" without specifying who were burgesses, or laying down any rules for the government of the borough or corporation; save only, that they prescribed, as did also former charters, to whom the jurisdiction which they created or increased should be committed. It appears, however, that no charters of incorporation, strictly so called, were ever granted to many boroughs; unless we allow that character to several charters dated previously to Henry VI.; for the charters of incorporation enumerated in the work of Messrs. Merewether and Stephens, as having been granted in that reign, and subsequently to it, amount only to 140; while the number of boroughs having municipal corporations, as set forth in the Report of the Commissioners, hereafter mentioned, is 236.

It was not till the time of the Tudors, that it became usual to grant what are called governing charters,—that is, charters regulating the internal constitution of the borough, or rather, the corporation to which the borough at large was made subject in all points of municipal government.

The general object of these charters, more particularly of such as date from the reign of Henry VIII., was to create, or, more properly speaking, distinctly to recognise and sanction, the exercise of all the old borough and new corporate rights, by a small, and for the most part self-elected, body, whose numbers were in many cases actually limited by the terms of such charters. It is, therefore, to this period that we may refer the final establishment of that system of municipal government, of which the powers were usually vested in a mayor and common council; the latter generally consisting of aldermen and common councilmen: the aldermen being nominated out of and by the rest of the council; and the common councilmen being either nominated by the whole council, or by the aldermen. The most important of the other corporate officers were the recorder or judge, the chamberlain or treasurer, and the town clerk or attorney of the corporation. These select bodies not only engrossed the municipal power, but the very name and being of the corporation. The freemen and commonalty of bur-

gesses ceased to be considered as members of the corporation, though they still retained their valuable rights and exemptions, and possessed, in a greater or less degree, rights of election and eligibility to municipal offices.

The further effect of such a change, was to vest in the new corporate body the common property of the borough; both such as had originally belonged to it, and such as had at any time been added to it under the vague and general description of burgesses or men of the borough; but this property remained subject to any charges for the benefit of the burgesses or freemen which usage had established; and its amount was small compared with what was acquired by the corporations after their distinct and separate existence had been finally acknowledged. Indeed, the greater part of the property actually vested in municipal corporations, both as their own or upon charitable trusts, was acquired between the reign of Henry VII. and the Revolution, — a period fertile in all sorts of charitable and corporate foundations. The right of making by-laws, and of taxing the inhabitants of the borough for the purposes of paving, lighting, and police, passed also to the corporation by virtue of their new charters. But the most important and, as it afterwards turned out, the most abused of the powers to which they succeeded, was that of admission to the privileges of burgesses or freemen.

The different modes of obtaining such admission in more ancient times have already been pointed out. The governing corporations, which succeeded to the older municipal bodies, continued to recognise such claims to participate in municipal rights as rested upon personal qualification, such as birth and apprenticeship, and had been firmly established by local custom; though in some places a farther condition of election was imposed upon persons so qualified, and in many others a fine was exacted from them on admission. But the corporations, while they recognised more or less fully these rights, assumed to themselves a discretionary power, (which probably had been long growing up in many places to the exclusion of all other rights to admission) of admitting to the freedom or burgesship whom they liked, whether resident or not, and whether upon free gift or purchase; and this power was finally so used as to diminish very much the number of freemen or burgesses, and to secure the paramount influence of the corporation. In some places, indeed, particularly such as had not been anciently boroughs, or had not possessed a merchant guild, or any separate guild, there were no burgesses or freemen besides the ruling corporation itself; and in others there were no means of acquiring the freedom except by election of the corporation; while, on the other hand, in some few places the municipal rights remained common to all inhabitant householders. Upon the whole, the general operation of the governing charters was not only to increase the power of the select few, but greatly to restrict the numbers of the commonalty of the borough; and there is good reason to believe that the motive which induced the Crown to co-operate in such a course was to confine the parliamentary franchise within the same narrow limits as the municipal; or, at any rate, virtually to place it at the disposal of the governing corporate body, which, it was hoped, would be more easily subject to the control, either of the ministers of the Crown or of the great noblemen in the interest of the

court. The belief in this motive is strengthened by the circumstance, that during the period to which we refer, many insignificant places were raised to the rank of parliamentary boroughs; and it became usual for the nobles, whose feudal power had greatly declined, to connect themselves, under the name of high steward or by the office of recorder, with the boroughs in the neighbourhood of their possessions.

Such attempts on the part of the sovereign to limit the right of election where it was before enjoyed, were successfully resisted by the House of Commons in the time of James I.; the celebrated Committee of Privileges, presided over by Serjeant Glanville, having resolved, and the resolution being adopted by the House, that crown charters, so far as they assumed to modify the parliamentary franchise, were altogether void. The principle, however, was only applied practically to such cases as were brought before the House upon petition; and even as to them it left untouched various limitations of the elective rights, which usage had in a manner sanctioned; while in other places it had established an extension of the rights beyond the pale of burgesses. The parliamentary franchise then was still left (and remained till the great and general change recently effected) a matter not so much of general law as of local custom; of which the following were the most remarkable varieties.

There was, first, the right by inhabitancy, which belonged either to all persons of full age habitually resident, or to all inhabitants procuring their own diet, who were called potwallers, *i. e.* pot boilers; or to all inhabitants paying "scot and lot" (of which the meaning in later times has been held to be "the parochial rates"), or lastly to all inhabitant householders, exclusively in each case of servants and lodgers.

There were next the rights by tenure, which belonged either to freeholders of property within the borough, in some instances of the value of 40*s.*, and in others without any restriction as to value. (This freehold franchise is said to have existed in nearly one eighth of the boroughs in the kingdom.) The other species of franchise by tenure was that of the burgage holders; which is said by Blackstone to have existed in twenty-eight boroughs; a burgage being for this purpose an undivided and undividable tenement, which has immemorially conferred upon its possessor having a freehold interest in it, the right of voting. The 3d class of franchise is that depending upon personal qualification, which belonged generally to the governing corporate body, as it did in many cases exclusively; but more commonly to them in common with the burgesses or freemen, who were a part, or at any rate an offspring, of the corporation; or to the freemen of particular guilds, not connected with the corporation: as was the case in the city of Wells.

Most of these different franchises might, and many often did, co-exist in the same borough; while in other cases there was but a single species of franchise, created either by usage, or by successive decisions of the House of Commons, from the era of Glanville to the present day. From that time the municipal franchise of boroughs becomes very distinct from the parliamentary; the right of the Crown to modify by its charters the municipal franchise which originally had proceeded from it, was not then called in ques-

tion; nor were there in fact any parties interested to contest it; as those, to whom the expressly restrictive charters were granted, had already succeeded in engrossing those rights and franchises which had been more vaguely conferred by older grants, and might therefore, not without some reasonable pretence, assume to surrender them. This scheme of narrowing the basis of the corporate constitution continued to be pursued by the Crown and corporate bodies jointly till the Revolution; at which epoch it had reached its height, being established with few exceptions, and in different degrees of closeness, in every incorporated borough in the kingdom.

No particular event of great note in the history of corporations occurs during this period till the reign of Charles II.; shortly after whose restoration were passed the Test and Corporation Acts, with the immediate object of excluding from corporations the Presbyterian party, into whose hands they had mostly fallen during the Commonwealth. The latter end of the same reign is still more remarkable for the issuing of the celebrated writs of *quo warranto;* an attempt on the part of the court to subject corporations to its control, by forcing them to surrender their charters and accept new ones, in which the right should be reserved to the Crown of nominating and removing the chief corporate officers. The attempt had already succeeded in some few instances in the earlier part of the same reign. The particulars of this struggle, or rather aggression, which was more liable to censure on constitutional than on legal grounds, belong to the general history of the country; it is sufficient here to say, that after a great majority of corporations of considerable towns had, either through fear of the court, or want of confidence in the integrity of the judges, or from less excusable motives, surrendered, or forfeited by non-appearance, their corporate existence, and had in many cases accepted such new charters as the Crown chose to confer on them, a proclamation was issued by James II. on the eve of his deposition, by which all such new charters were recalled; all the old ones, of which the surrender or forfeiture had not been legally completed, were revived, and such as had been cancelled were regranted. This proclamation, which, though failing of its immediate object, was allowed subsequently to the Revolution to have the force of law, replaced the corporate system, on the same footing as before the beginning of these proceedings. It is, however, worthy of remark, that some few places did not accept their old charters, but continued boroughs without a corporation; and these transactions are further important as having given rise, on more than one occasion, to a full discussion of the principles of corporate law, which established that a corporation might either surrender by its option, or forfeit by its misconduct, its franchise and its very existence.

During the period which elapsed from the Revolution to within these few years, little or no change took place in the municipal constitution of corporations: indeed, they appear but little in history in their municipal character; but their political importance, as rulers of boroughs, then rose to its greatest height, with the rapid increase of the power of the House of Commons. The habitual connection of corporations with some powerful family residing or having possessions in their vicinity, has already been pointed out,

In the period of which we now speak, that connection had been so long established, and its ties had been drawn so close, that many boroughs, in which either the elective franchise was literally confined to the members of a close corporation, or in which the influence of such a corporation was beyond all dispute paramount, became, in reality, the property of private families, and, as such, a source of revenue, and a subject of sale. These were called close boroughs. In other places, where either the corporation itself was popular in its constitution, or the elective franchise too widely diffused to be under its control, there prevailed a practice of open bribery which was carried to the height of a regular traffic in votes. These were called rotten boroughs, though very few were so shameless in their venality as not to retain some political preference. The richer and more populous boroughs belonged, of course, to neither of these classes; and many of the middling corporations retained a considerable share both of independence and integrity. The direction in which that power was exerted was, of late years, decidedly favourable to the views of the Tory party, partly from the natural leaning of corporations, which were oligarchical in their own constitution; partly from the accident, if it could be called so, which had connected most of them with families of Tory opinions; partly also, from the effect of the laws before mentioned, under the name of the Test and Corporation Acts, which nominally, at least, confined their privileges to members of the Church of England.

The Test and Corporation Acts were repealed in 1828. The Reform Act, 2 & 3 W. 4. c. 45., deprived fifty-six boroughs, the lowest on a joint scale of population and property, of the right of returning members, and one member only was left to thirty others; while, on the other hand, twenty-four of the most important towns hitherto unrepresented, were endowed with two, and twenty others with one representative: and in all boroughs, the old as well as the new, the elective franchise was given to householders of the yearly value of 10*l.* and upwards, with the reservation in the old boroughs of the parliamentary rights of freemen, subject to the condition of residence; and with the further proviso, that none should for the future become freemen for this purpose, but by birth or servitude; but all rights of voting before acquired, in whatever way, were saved to their present possessors, with the further condition of residence. The municipal constitution of boroughs was as yet untouched; but in the year 1833, a royal commission was issued, in compliance with an Address of the House of Commons, to inquire into the state of the municipal corporations of England and Wales. The commissioners to whom it was directed, early in 1835, presented their Report, of which the following are the most remarkable statements and results: —

That the borough franchises and property were, with few exceptions, vested in small, and for the most part, self-elected corporate bodies, in such manner as before mentioned.

That the freemen or free burgesses, where there existed such a class, were not usually considered as members of the corporation, though having in almost all boroughs, in a greater or less degree, certain rights of election and eligibility to corporate offices. That they were generally but a small, and often the least wealthy and independent part of the population of the borough; in proof of which it was

stated, that in sixteen of the most populous boroughs having corporations, the aggregate population of all was 659,431, while the whole number of freemen was only 34,697; the proportion between the two numbers being nearly as that of 19 to 1; but allowance should be made in the larger number for domestics and women.

That the higher corporate officers were considered as a necessary part of the legislative body. That there were in all corporations inferior officers, whose functions had altogether ceased, but who nevertheless continued to be elected in compliance with the letter of their charters.

That the *jurisdiction*, arising as it did from particular charters, in which no general system had been followed, varied in many places inversely to the population and importance of the places in which it was established; being most extensive in many of the smaller boroughs, most restricted in some of the largest.

That the *property* of corporations consisted of lands, tithes, and other property of the same description. That they had also revenues arising from the tolls of markets, and fairs, from duties on export and import of goods, usually called town dues; from quay dues, and anchorage dues; from fees payable on admission of burgesses and officers, and from fines imposed for refusal to serve in corporate offices. That such property was not generally adequate to the fulfilment of municipal purposes; and that in some places a borough rate, in the nature of a county rate, was levied from the inhabitants in order to supply the deficiency. That in parliamentary boroughs, the municipal expenses had been in many instances, either wholly or in part, defrayed by the patron of the borough. That since the passing of the Reform Act this assistance had been discontinued in such boroughs as had been disfranchised, and that in consequence some of these boroughs had ceased to maintain any municipal institutions whatever. That the corporations had also in many cases property vested in them upon trust, for charitable purposes, and had moreover, considerable patronage, both lay, as of schools and hospitals, and ecclesiastical, as of livings.

That the *freemen* had, in many cases, claims upon the property vested in the corporation, in the shape of rights of common, &c. &c., and were entitled, in some places, to pecuniary assistance upon certain occasions. That they were also generally entitled to exemptions from tolls and town dues; and had in some places exclusive rights of trading. That the freemen commonly, and in some places the inhabitants at large also, claimed to be exempted from serving upon county juries, to which they would otherwise have been liable as freeholders of their respective counties.

With regard to the mode in which such powers, franchises, and property were exercised and administered, it appeared from the Report,

That the power of making *freemen*, so far as it was discretionary in the corporation, was chiefly exercised by them, and that the freedom also was commonly claimed, for political purposes; as was shown by the great increase in the number of admissions, which generally took place on the approach of a general election; which was evidenced by a table containing the aggregate number of freemen admitted in 128 principal boroughs, exclusive of London and Preston, from the year 1800 to the year 1831, the lowest number admitted being 1256, in the year 1808, the highest 10,797, in the year 1826. That the freemen were in many instances selected from the poorer and more dependent classes.

That evil had arisen from the union of offices not properly compatible, as that of mayor with that of magistrate, or that of coroner. That in the appointment of

corporate officers, as well those having jurisdiction as others, more regard was paid to the party claims, than to the capacity of those selected.

That improper and incompetent persons had been in many instances intrusted with the exercise of the corporate *jurisdiction*, and that in consequence of this and other causes, such as the unwillingness of the corporation to undertake responsibility, the suspicion of partiality attaching to the juries selected from the freemen, the expensiveness of the proceedings in civil matters, and in criminal matters, the bad state of the borough gaols acting upon the humane feelings of prosecutors; such jurisdiction had in most places, excepting those in which it was exclusive, fallen into comparative disuse.

That in the disposal of their *property*, corporations did not, except in very few instances, recognise any obligation to apply it to public purposes, though in practice many corporations had undertaken works for the general benefit of the borough. That in most instances the property of the corporation was, to a greater or less extent, and, either directly or indirectly, administered for the benefit of the members of the corporation and their families. That much of it was consumed in feasts or entertainments, or in extravagant salaries to the corporate officers, and that in some instances the corporate funds had been largely applied for electioneering purposes. That apart from any corrupt application, the expenditure of corporate funds had been very generally improvident, and that many corporations were considerably in debt. That the funds vested in corporations for charitable purposes had been very commonly, wholly or in part, misapplied and diverted to the use of the corporation; and that, in the selection of objects of charity or patronage, undue regard had been paid to the votes or political services of applicants; and that they had in other respects neglected the proper superintendence of the charities subject to their visitation.

That the corporations had very generally proved inadequate duly to fulfil such purposes of local government, as police, paving, and lighting, and that the management of these matters were, particularly in the larger towns, usually committed to distinct bodies appointed by act of parliament.

The commissioners concluded their report by representing that the existing municipal corporations of England and Wales neither possessed nor deserved the confidence of his Majesty's subjects, and that a thorough reform must be effected in them before they became what they ought to be and might become, useful and efficient instruments of local government.

Founded upon this Report, a bill was, early in the session of 1835, introduced by the administration into the House of Commons; which, having been the subject of much discussion, and having encountered great opposition and undergone considerable alteration in the House of Lords, was finally passed into a law on the 5th of September in the same year. By this act, which embraces in its provisions 178 of the municipal corporations of England and Wales, and which came finally into operation on the last day of 1835, the actual corporation in every place to which it applied was dissolved, and replaced by a municipal body consisting of mayor, aldermen, and burgesses, which was thenceforth to be the style of all such municipal corporations, and of which the constitution and form of government are regulated by the following provisions: —

All who for three years have occupied a house or shop within the limits, and who during that period have habitually resided within seven miles of such limits, and have also during the same time been rated to the poor of some parish in the borough, are entitled to be placed on the list of burgesses. These elect the

councillors, whose qualification for the office in boroughs divided into four or more wards, is 1000*l.* capital, or to be rated at 30*l.* annual value: in boroughs of inferior size, half these sums respectively. The number of councillors is fixed by the act for each borough, and one third of them go out of office every year. The councillors elect aldermen, whose number is one third of that of the councillors, in conjunction with whom they compose the town council. Half of the aldermen go out of office every third year: out of the aldermen the council elect the mayor, whose office is annual, with a capability of re-election, and whose business it is to preside over the council.

To this town council, composed of mayor, aldermen, and councillors, are transferred the municipal powers and functions of the corporation which they succeed, curtailed in some respects, extended in others. The curtailment is chiefly as to the jurisdiction, which is no longer to be exercised by the officers of corporations, save by express delegation of the Crown: according to the provisions of this act, which empowers the king to issue his commission of the peace to 128 boroughs named in it, without any expression of a wish on their part, and to 50 others also named, upon special petition from them. The king is also empowered to appoint, upon like petition from any borough, a police magistrate, with a salary to be first provided by the town council out of the borough funds, and also to nominate a recorder in such boroughs as shall present a petition in that behalf, showing sufficient ground for the request, and stating the salary they are willing to pay; such recorder, who must be a barrister of five years' standing, to have the power of holding quarter sessions, in which he is to be sole judge, equal in extent of jurisdiction to the quarter sessions of a county.

The municipal functions of the new town councils are increased by the cessation of the powers conferred by local acts for paving, lighting and police; the latter power, which is committed to the hands of the mayor and a sufficient number of councillors, being specially made subject to the control of the secretary of state for the home department.

In the town council also is vested the whole of the property of the old corporation, except tolls which are abolished, to be administered by them, as well as any proceeds which may accrue from the corporate jurisdiction for the general purposes of the borough, and subject to the control and inspection of auditors appointed by the burgesses at large. But the town council were required to sell all advowsons, in order to avoid religious animosities, and to appoint trustees of all property held by them for charitable uses.

One only of the ancient franchises is left untouched: that is, the parliamentary rights of freemen or free burgesses, as retained by the Reform Act; and in addition to this, all rights of property and valuable exemptions are reserved to existing freemen, and all rights of property simply to all who shall hereafter become freemen by birth, marriage, or apprenticeship, though no longer entitled as such to any place in the municipal constitution. It was further provided that all officers of the old corporations, such as town clerks, bailiffs, treasurers, or chamberlains, discontinued by the new town council, should receive compensation, regard being had to the manner of their appointment, and their term or interest in their office.

By this act a power is reserved to the Crown of granting charters to boroughs or towns not incorporated; and such power will doubtless, when occasion arises, be exercised in accordance with the system just described.

	Number of Boroughs first mentioned in each Reign as being in England.	Charters of Incorporation granted in each Reign.	Boroughs summoned to Parliament in each Reign.	Number of Municipal Boroughs in each County according to first Table.
William I.	78	-	-	Bedfordshire - 2
William II.	-	-	-	Berkshire - 5
Henry I.	4	-	-	Buckinghamshire 6
Stephen	1	-	-	Cambridgeshire 1
Henry II.	3	-	-	Cheshire - 1
Richard I.	8	-	-	Cornwall - 24
John	24	-	-	Cumberland - 4
Henry III.	24	-	-	Derbyshire - 1
Edward I.	53	-	107	Devonshire - 21
Edward II.	16	-	24	Dorsetshire - 8
Edward III.	27	-	33	Durham - 3
Richard II.	-	-	-	Gloucestershire 4
Henry IV.	2	-	-	Huntingdon - 1
Henry V.	-	-	-	Hampshire - 18
Henry VI.	4	10	5	Hereford - 6
Edward IV.	2	10	2	Hertford - 4
Richard III.	-	6	-	Kent - 12
Henry VII.	-	-	-	Lancashire - 6
Henry VIII.	-	6	16	Leicestershire 1
Edward VI.	5	12	27	Lincolnshire - 5
Mary, and Philip and Mary	7	13	-	Middlesex - 2
Elizabeth	13	24	21	Monmouth - 1
James I.	3	26	7	Norfolk - 6
Charles I.	-	12	1	Northampton - 4
Cromwell	-	1	-	Northumberland 6
Charles II.	1	1	-	Nottingham - 3
James II.	-	13	2	Oxfordshire - 7
William and Mary	-	-	245	Shropshire - 6
Anne	-	4	This number had, previous to the Reform Act, been reduced to 214, of which 202 in England, 12 in Wales. Since the passing of that Act there are 187 Parliamentary Boroughs in England, and 13 principal Boroughs in Wales.	Somersetshire 19
	-	3		Stafford - 3
	275	150		Suffolk - 8
	add 1 Borough by prescription.			Surrey - 8
	276			Sussex - 11
				Warwickshire 3
				Westmoreland 1
				Wiltshire - 21
				Worcestershire 8
				Yorkshire - 20
				Cinque Ports 3 (omitted before)
				276

The above table is made out from those in Messrs. Merewether and Stephens' valuable work on boroughs; and is useful as showing the successive growth of corporations and boroughs. But as many of the places to which it refers have fallen into decay, it is not applicable to their present condition; upon which, more recent and accurate information may be found in the Appendixes to the Report of the Corporation Commissioners, according to which it appears

That the number of municipal boroughs in England and Wales, concerning which they instituted any inquiry, was - - - - 285
Of which England had 231, and Wales 54.
Of these there were, in England, towns counties in themselves - - 17
Ditto in Wales - - - - - - 2
And of the whole there were, Parliamentary and municipal, in England 137
Ditto in Wales - - - - - - 41
Municipal only in England - - - - - - 94
Ditto in Wales - - - - - - 13
285

In addition to these 285 Municipal boroughs, there were
Boroughs that were Parliamentary and not Municipal, in England - 53
(of which 22 existed before the Reform Bill.)
Ditto in Wales - - - - - - 16

Of these 285, 39 are stated by the Commissioners to have been municipal only in name: of the remaining 246, no accounts were received from 8, and 1 (London) was not included in the Report, leaving 237, of which the total population is stated to be 2,028,613. The aggregate property of 315 (there being in 17 no property, and 5 in which it could not be accurately stated) was, per annum, 366,948*l.* 10*s.* Of this sum, that of the boroughs on the northern circuit of the Commissioners amounted to 94,703*l.*; and that of those on the north-western to 100,704*l.*

CHAPTER VI. — CONSTITUTION, COURTS, ETC., OF SCOTLAND.

SECT. I. *Constitution and Representative System of Scotland.*

FROM the earliest period to which Scottish records ascend, the form of the monarchy is limited. The King acts with the concurrence of his Great Council, which, as in England and other nations, was originally his Feudal Court, and formed of those vassals whose duty rather than privilege it was to attend the person of the sovereign. The Scottish constitution, retaining the feudal law of property, always retained likewise the principle, derived from this origin of Parliament, of recognising in none but the immediate vassals of the Crown a right to appear in the National Council personally or by representatives.

In the earlier Scottish parliaments, where all attended personally, we find the assemblies composed of the prelates, the earls and greater barons, and the lesser barons: the last-named class being those Crown vassals or freeholders, who, as such, formed part of Parliament, but had not received any of those honours, or titles which distinguished the nobility. The right or obligation of appearing by representatives was first granted to a class of Crown vassals who do not seem to have originally formed a part of the Council, and, indeed, could be admitted only by deputies. These were the Royal Boroughs, the date of whose introduction into Parliament is obscure — some traces of it appearing during the invasion of Edward I. of England, to whom one author attributes their admission; but it is only in the reigns of James I. and James II. that the boroughs begin to appear regularly as constituent members at the meetings of the estates. Representatives were permitted to the freeholders, or lesser barons, by James I., in the year 1427, by a statute which dispenses with their attendance, provided they send from each shire two or more commissioners, according to its size. This statute seems to have had little effect; and knights of the shire were finally and imperatively established only by James VI., in 1587. Between the rise of the Reformation, and the Revolution of 1688, the spiritual estate was exposed to many revolutions. The Presbyterian form of church government did not demand for its clergy a representation in the national council; and as often as Presbyterianism gained the ascendancy, the prelates were expelled from Parliament. At last, in the Convention of 1689, they were disowned as members either of the Parliament or of the national Church.

The meeting of estates, which made offer of the crown to William and Mary, was declared a parliament, and sat and deliberated in the form acknowledged as constitutional. This parliament consisted of the nobility and the commissioners for the shires and boroughs; but it differed in several important points from the parliament of England. In the first place there was no separation of the Peers from the Commons — the Parliament formed but one chamber, — a circumstance which alone was sufficient to prevent the Commons from efficiently supporting the rights of their order. This mixing up of the two estates in one deliberative body was not remonstrated against, and continued as long as the Scotch Parliament existed; and the Revolution Parliament, and those that followed it, recognised, secondly, a right in eight of the officers of state to sit and vote in Parliament, in virtue of their office. This prerogative of the Crown was conferred or fixed by an act passed in 1617, which enumerated,

as the state officers to whom the right belonged,—The High Treasurer, the Treasurer Depute, the Secretary of State, the Keeper of the Privy Seal, the Master of Requests, the Clerk Register, the Justice Clerk, and the King's Advocate. If any of these offices were put in commission, the King was authorised to name one of the commissioners to sit and vote in Parliament. An act of 1633 ratified this statute, and recognised the Lord Chancellor as President of the house; and these arrangements were acquiesced in till the Union. It may be noticed, as a third peculiarity of the Scotch constitution, that the Commons never acquired the right of determining by themselves even on the supplies, though the English Commons had established this right in their representatives. It has been doubted by some antiquaries, whether each estate did not vote separately; but, at all events, it seems clear that none had a *veto*. There was another peculiar arrangement, which had existed in the Scotch Parliament for at least five reigns, but was denounced by the Convention of 1689 as unconstitutional, and formed the very first article in their list of grievances. This was the committee known by the name of "Lords of the Articles;" a body by which, after the Restoration, Parliament was reduced to a cipher. After this committee had reached its maturity, the usual plan was that each parliament met only two days: the first day for the purpose of electing, or having elected, the Committee of the Articles, by whom the whole business of the session was transacted; and when its work was over, Parliament met one day more, and ratified the acts which the committee had prepared! The invention was convenient for the barons, who had no fondness for parliamentary debates; and it was perhaps safe, so long as the original mode of choosing the committee was adhered to, which was, that each estate chose an equal number of members of its own body. But the Crown was not likely to abstain long from interfering with what might prove so useful an instrument of government. The nomination of the Lords of the Articles was in the hands of the Crown, perhaps, in the reign of Mary, and certainly in that of her son; and, although in those times the royal nomination seems to have encountered occasional opposition, it was conceded to the fullest extent by the Restoration Parliament, and subsisted without alteration till the Revolution. The Crown did not openly choose the members: various artifices were resorted to; the most usual of which was to devolve the task on the bishops. These chose eight noblemen; and these, again, eight bishops; and the sixteen members of the committee so chosen met and elected eight commissioners for shires, and eight burgesses. And after all this preparation, it would appear that the committee was not complete till an order of the King had added the officers of state to it. The Committee of Articles was abolished in the first session of the Parliament, formed out of the Convention, the right of the house being, at the same time, recognised to elect at pleasure committees for all necessary business; the committees to consist of an equal number chosen by each of the three estates; and the Crown to have the power of appointing officers of state to attend in such committees, but without a vote.*

The powers assumed by the Scotch Parliament fluctuated according to the times; but, in its earlier periods, we find it challenging, and allowed to exercise some unusual encroachments on, the royal prerogative. It is asserted, that, by the older constitutions of Scotland, the King possessed neither *veto*, nor the power of making peace or war, without consent of Parliament. As to the latter branch of

* For further information as to the Lords of the Articles, see *Robertson's Scotland*, Book i.; the note No. 29. in the work of Dr. Gilbert Stuart on the *Public Law of Scotland*, &c.

the prerogative, it mattered little whether it were recognised theoretically or not, so long as the Crown possessed no standing army; and in Scotland there was none till after the Restoration. The assertion, that the King was bound to ratify, by touch of the sceptre, all acts which the Parliament brought to him, is admitted by James VI. himself, in a speech to the English Commons, in which he congratulates himself that his command of the Lords of the Articles made the limitation quite nominal. The Parliament took advantage of the difficulties in which Charles I. was placed, to extort from him, in one of his parliaments, an insincere acquiescence in this restriction. After the return of his son, neither the one right nor the other was ever claimed by Parliament; and the questions were not again seriously revived. Indeed, with the accession of James VI. to the crown of England, a period begins in which the Parliament of Scotland was weakened by an almost uninterrupted series of attacks, which did not merely repress any undue powers previously acquired by the nobility, but swept away every restraint on the royal prerogative, and every safeguard of national and individual freedom. The acts of the Scotch Parliaments of the unhappy period, between the Restoration and the Revolution, show no disinclination on their part to giving up the constitutional rights of the nation; and, where it was necessary, a proclamation of the Privy Council dispensed with all parliamentary law.

The different constitution of the English and Scotch parliaments accounts, in some degree, for the great power to which the Commons early attained in the former, and for the little power to which they ever attained in the latter. But more stress has, notwithstanding, been laid on this difference of constitution than it seems to deserve. The commons of Scotland had little power or consideration in Parliament, because they had little wealth and consideration in the country. The towns were quite inconsiderable; and were destitute of any thing worthy of the name of trade and manufactures. The land — the only species of property in the country — was almost entirely engrossed by the nobility, or by their connections and dependents, and continued to be so till after the Union. In consequence, the knights of the shire were merely their nominees; and those sent by the boroughs were too poor and inconsiderable to make any effectual opposition to the Crown or the nobility, whose influence, indeed, preponderated nearly as much in the towns as in the country. In England, the state of things was widely different. At an early period she possessed many large towns, with extensive manufactures and trade. The Commons, in consequence, became wealthy, and purchased large landed property, which, after the passing of the statute of *Quia Emptores*, they held not, as in Scotland, of the alienor, but directly of the Crown. Hence the real source of the decline of the power of the feudal nobility, and of the rise of that of the Commons in England; and hence, also, the different political system, and the different distribution of power that obtained there and in Scotland

The claim of rights by the Convention of 1689, declaring James to have invaded the constitution and forfeited the crown, was followed by a list of grievances "to be redressed in Parliament;" — a phrase which intimates that the matters complained of had been authorised by oppressive statutes. Besides complaining of the Committee of Articles, and various other grievances, the Estates denounce the keeping up of a standing army in peace without consent of Parliament; they condemn an act which had given the King power to levy taxes on foreign imports at pleasure; and resolve, "that all grievances relating to the manner and measure of the lieges their representation in Parliament be considered and redressed in the first Parliament."

Upon this last declaration, a law ensued in 1690 giving additional representatives

to the shires. The old laws, establishing the commissioners for the shires, had given to all the shires, excepting two of the smallest, the power of sending two or more representatives; but at this time it appears to have become quite understood that no shire was to send more than two, each of whom possessed a vote. The new statute gave two additional representatives each to eleven of the largest counties, and one additional member each to four others; making twenty-six new members in all: so that the full number of knights of the shire was then ninety-two, the counties being thirty-three. Of sixty-six royal boroughs, Edinburgh had, since 1617, returned two members, and each of the other boroughs one.

The Parliament which passed the Act of Union, in the beginning of 1707, consisted of 155 members; but this was a very thin meeting, numbering only 74 of the nobility, who, by the roll returned to the English House of Peers, were 154 in number.

The Act of Union took effect on the 1st of May, 1707. Amongst other articles, it contained the following: — A union of England and Scotland into one kingdom: the union of the two parliaments: full freedom of trade; complete uniformity of customs and excise; the fixing of the proportion of land-tax, payable by Scotland, at 48,000*l*., for every 2,000,000*l*. to be levied in England; the payment of 398,000*l*. to Scotland, as an equivalent for that part of the augmented customs and excise which should be applicable towards payment of the public debt of England; the equivalent to be applied, in the first instance, to the discharge of the public debt of Scotland: a uniformity of public law in the two kingdoms; and a reservation of the Scotch judicatures and private law, of the hereditary jurisdictions, rights of the royal boroughs, and rank and precedence of the Scotch Peers: and, finally, the establishment of presbyterianism as the national form of church government in Scotland. The Crown was to have the power of retaining a Privy Council for Scotland; but it was immediately abolished; as were the hereditary jurisdictions in 1748, on compensation to the possessors.

The number of representatives to be granted to Scotland, in the United Parliament, formed a difficult question. The English commissioners, for adjusting the treaty, were firm; while the Scotch commissioners, and a majority of the Parliament, were pliable. England kept all her members of both houses: Scotland was to be represented by sixteen Peers in the House of Lords, and by forty-five Commoners. It is needless to inquire whether the proportion was a fair one: the question was not asked at the time. The transaction was a hard driven bargain: the number of representatives finally given to the Commons was seven more than the English commissioners at first proposed; and the Scotch commissioners, on appearing in their own Parliament with the treaty, found it safest to argue that the state of Scotland made it necessary to conclude the Union on such terms as could be procured.

The Scotch Parliament proceeded to regulate the mode of choosing the Scotch representatives. The Peers, like the Commoners, were to hold their seats for only one Parliament, and to be elected by their own body, voting personally or by proxy. Of the forty-five Commoners, thirty were to be chosen by the shires, and fifteen by the boroughs. To each of twenty-seven counties one member was given; while the remaining six were to elect members for alternate parliaments. Of borough representatives, Edinburgh was allowed to elect one; the other sixty-five boroughs were divided into fourteen districts, each of which united in choosing a member: for this purpose each borough was to choose a commissioner; which commissioners met and chose the member by a majority of voices; each borough having a casting vote in its turn, in case of an equality of votes among the com-

missioners. In this situation matters remained till 1832; and, whether the arrangement were suitable or not at the time when it was entered into, a century and a quarter had produced changes which rendered it quite preposterous.

Of the 154 noblemen who stood on the roll of Scotch Peers at the Union, only 5 possessed British Peerages. The number of Scotch Peers is now about 80, of whom one third are also British Peers, and so have seats in the House of Lords, while they retain their right of voting for Scotch Peers.

To ascertain the footing of the Commons' representation, either at the Union or before the Reform Act, we must inquire into the state of the constituency at both periods. By the act of the last Scotch Parliament, determining the method of electing representatives, it was provided that none should be capable to elect or be elected to represent a shire or borough in the Parliament of Great Britain, but such as might elect or be elected to represent a shire or borough in the Parliament of Scotland.

First, then, of the shires. We have seen that the electors for shires in the Scotch Parliament were the King's freeholders. Their qualification was fixed by the Act of 1587, extended in 1661; and by the Act, 1681, c. 21, it was put on the footing on which it continued till the Reform Act. The elector was required to be seised, and in possession of "a forty shilling land of old extent," or of "lands liable in public burden for his Majesty's supplies, for 400*l.* (Scotch) of valued rent." The "old extent" was a valuation of uncertain date, but probably as old as the end of the thirteenth century." The "valued rent" was the rent set down in a general valuation, made about the middle of the seventeenth century. But the lands, forming the qualification, were to be "holden of the King;" and for understanding this condition, and the use which was soon made of it, it is necessary to explain, that in Scotland the feudal system of holding lands prevails universally. Every foot of ground is held in law to belong to the King, and is possessed by the subject under a charter from the Crown. But the vassal who holds the Crown charter is not prevented from creating vassals under himself, who shall possess his lands, or parts of them, under such lawful conditions of yearly payment or services as he chooses to impose. These subvassals contract no direct obligations to the Crown, and acquire none of the privileges which belong to the immediate Crown vassals; and the vote being under the old law one of those privileges, they of course did not acquire it. When the possession of a vote in a county had become a desirable object, advantage was taken of the law to separate the possession of the vote from the real property of the lands. If a landed proprietor wished to sell his estate, but retain his vote, he could grant a charter accepting the purchaser as his vassal in the lands; and if the purchaser did not choose to be burdened with the payment of yearly duties under the charter, these could be rendered quite nominal, as the twelfth part of an English penny yearly, "if asked only." But a more common case was that the proprietor of a large estate, the valuation of which would afford many qualifications, wished to create votes upon this estate in the persons of his friends or relations. The method for doing this was a somewhat complicated manufacture of charters very profitable to the attorneys, and to his Majesty's Exchequer for Scotland; and the result was, that, at the next meeting of freeholders, each of the new voters claimed enrolment on producing a Crown charter in his favour over a portion of the lands, and a certificate from the Commissioners of Supply that this portion had been entered in the public tax-books, for an amount of land-tax entitling the possessor to a vote. For the portions of his estate so alienated, the real owner became, for a nominal duty, the vassal of the new freeholders, retaining a Crown charter for the

rest of his lands. These nominal vassalships to the Crown "superiorities," as they were called, soon became matter of traffic, bearing a different price in each county, and varying in the same county, according to the state of politics at the time of sale. At the introduction of the Reform Act, the number of freeholders in Scotland was about 3,200, of whom 500 or 600 possessed freeholds in more than one county; and about the half of these voters possessed merely the superiority — the parchment vote, — without an ineh of the ground, or a penny of the rent of the lands for which they were enrolled. The greatest number of voters in any county was 260; the smallest in any county which, by itself, returned a member, was 28. The average number, the counties being 33, was 97.

The statute of 1587 required residence in the shire as a qualification; that of 1681 expressly provided that non-residence should be no objection. The older statute provided that the commissioners for the shires should be "wise men, being the King's freeholders, resident indwellers (inhabitants) of the shire." The statute of 1661, which extends the qualification, says nothing of residence either for commissioners or electors; and that of 1681 is silent as to the qualification of the commissioner. After the Union it was merely considered neeessary, that, besides freedom from the statutory personal disqualifications, the commissioner should be on the roll of the county as a freeholder — a qualification which there could be no difficulty in procuring. By the practice of Scotland, previously to the Union, the eldest sons of Peers could not represent a county or borough in the Scotch Parliament; and they were afterwards refused admission to the roll of freeholders, and consequently had no vote.

Next, as to the electors for boroughs. These were placed on a more simple, but even less satisfactory, footing. The nomination of the borough representatives to Parliament seems always to have lain in the magistracy of the boroughs; and it appears to have been no unusual arrangement for the chief magistrate to represent his borough. If the election of the borough magistrates had been popular, this system might not have been very objectionable; but till the passing of the late Scotch Borough Reform Act, in 1833, the election of the magistrates remained in the situation established by an act of James I., 1469. This statute, "touching the election of officers in boroughs," enacted, according to its preamble, "because of great contention yearly for the choosing of the same, through multitude and clamour of common, mean persons," provides effectually for the removal of the abuse, by directing that "*the old council of the town shall choose the new council.*" This system of self-election is now only matter of history; but, so long as it existed, the mode of election varied indeed in the different boroughs, but in all of them the principle of the act, 1469, was in the main adhered to. The result of the system was that the 15 members for the Scottish boroughs were elected by a constituency amounting in all to 1,440, with a population of more than 300,000!

In the choice of the borough representatives, no qualification whatever was insisted on.

Even if the constituency of the boroughs had been better, the extraordinary increase of some towns and decay of others would have rendered the old system inapplicable: since no town which was not a royal borough had representatives, eleven towns were excluded to which members were given by the Reform Act; and among these were Paisley and Greenock, two of the largest and most flourishing towns in Scotland, each of which now returns one member. The decay of towns had not reduced any borough in Scotland to the enviable necessity of returning a member without possessing any inhabitants; but many boroughs were inconsiderable; and

the division into districts, never perhaps very appropriate, had become utterly unfair. Glasgow, the largest town of Scotland, and one of the most populous, wealthy, and flourishing in the empire, had merely a vote in the election of a single member, along with three inconsiderable towns; and Aberdeen, Dundee, and Perth shared their power of election with places comparatively insignificant. Glasgow now returns two members, and the other towns, mentioned above, return one member each.

The Act to amend the Representation of the People in Scotland received the royal assent on the 17th of July, 1832. Its leading provisions are as follows: —

1. — The representation of Scotland in the House of Commons is by fifty-three members; of whom thirty are for the shires, and twenty-three for the cities, boroughs, and towns.

2. — No disfranchisement has taken place, except in the case of three royal boroughs, situated in counties which it was considered inexpedient to unite with others, but whose population, exclusive of the towns, was too small to entitle them to return a member. The three towns are Peebles and Selkirk, in the shires of the same name, and Rothsay, in the shire of Bute. Such inhabitants of these towns as are qualified as electors for shires have votes for the county members.

3. — The thirty-three counties are classed in two schedules: those in the first schedule, twenty-seven in number, return one member each; those in the second, six in number, are joined in pairs, each of which returns one member. The shires returning one member are, — Aberdeen, Argyle, Ayr, Banff, Bute, Berwick, Caithness, Dumbarton, Dumfries, Edinburgh, Fife, Forfar, Haddington, Inverness, Kincardine, Kirkcudbright, Lanark, Linlithgow, Orkney with Shetland, Peebles, Perth, Renfrew, Roxburgh, Selkirk, Stirling, Sutherland, and Wigtown. The combined counties, each pair returning a member, are, — Elgin and Nairn Ross and Cromarty, and Clackmannan and Kinross.

4. — The constituency of the shires is of two kinds, Proprietors and Tenants.

Proprietors. 1. — All persons who, at the time of the passing of the Act, were on the old roll of freeholders of any shire, or who, previously to the 1st of March, 1831, had acquired a qualification entitling them to be enrolled. The right of voting so reserved to the former electors, is personal to them, and cannot be in any way transferred to others.

2. — Every person who is the owner of lands, houses, or any other heritable property (except debts heritably secured) within the county, if the same shall be of the yearly value of 10*l.* Any annual duty, or other annual consideration, which the claimant may be bound to pay for his right, must be deducted in valuing the property; and the voter must, 1. be in possession of the property by himself or servants, tenants, &c.; and 2. he must have been the owner of such property for not less than six calendar months previously to the last day of July in the year in which he claims enrolment; unless he have acquired it by inheritance, marriage, or *mortis causa* deed, or by appointment to any place or office; in which cases, six months' possession is not required. Joint owners can vote, provided each has an interest amounting to 10*l.*

Tenants. 1. — Every tenant in lands, houses, or other heritable property, under any lease or other written title, for (1.) a period of not less than fifty-seven years certain, or for his lifetime, provided the yearly value of the tenant's interest, after paying the rent, be not less than 10*l.*; or, (2.) for a period of not less than nineteen years, where the yearly value of his interest is not less than 50*l.* A tenant of these descriptions need not be in the personal possession of the premises; but he must have held them under his lease for twelve months, previously to the last day of July

in the year when he claims enrolment; unless he have acquired them by inheritance, or the other means specified above in the case of owners.

2. — Tenants of lands, houses, &c., where the yearly rent is not less than 50*l.*; or where, whatever the rent may be, the tenant has truly paid for his interest not less than 300*l.* These are tenants without lease, and must have been in the actual personal possession of the lands, &c., for twelve calendar months previously to the last day of July. Sub-tenants or assignees to the leases specified in the article immediately preceding (10*l.* for fifty-seven years, or 50*l.* for nineteen years,) can also vote, provided they have had twelve months' personal possession.

5. — The cities, boroughs, and towns, seventy-six in number, are divided into three classes, — (A.) To return two members each; Edinburgh and Glasgow. (B.) To return one member each; — Aberdeen, Paisley, Dundee, Greenock, and Perth. (C.) Combined burghs and towns, each set or district jointly to return one member: — 1. Kirkwall, Wick, Dornock, Dingwall, Tain, and Cromarty; — 2. Fortrose, Inverness, Nairn, and Forres; — 3. Elgin, Cullen, Banff, Inverury, Kintore, and Peterhead; — 4. Inverbervie, Montrose, Arbroath, Brechin, and Forfar; — 5. Cupar, St. Andrew's, Anstruther E., Anstruther W., Crail, Kilrenny, and Pittenweem; — 6. Dysart, Kirkcaldy, Kinghorn, and Burntisland; — 7. Inverkeithing, Dumfermline, Queensferry, Culross, and Stirling; — 8. Renfrew, Rutherglen, Dunbarton, Kilmarnock, and Port-Glasgow; — 9. Haddington, Dunbar, North Berwick, Lauder, and Jedburgh; — 10. Leith, Portobello, and Musselburgh; — 11. Linlithgow, Lanark, Falkirk, Airdrie, and Hamilton; — 12. Ayr, Irvine, Campbeltown, Inverary, and Oban; — 13. Dumfries, Sanquhar, Annan, Lochmaben, and Kirkcudbright; — 14. Wigtown, New Galloway, Stranraer, and Whithorn.

6. — The voters for boroughs are qualified either by occupancy or ownership. Occupancy or possession is not necessarily personal, but may take place by servants or others: occupancy is thus different from residence.

Occupancy. 1. — All persons occupying as proprietor, tenant, or life-renter, any house, warehouse, or other building within the bounds of the borough which, either separately or jointly with any other house or other building within the same limits (also occupied by him), shall be of the yearly value of not less than 10*l.* Or, 2. — Persons occupying premises as above, which, with any *land* owned and occupied by the same person, or occupied under the landlord to whom the house, warehouse, &c. belongs, and also situated within the same limits, are of the clear yearly value of not less than 10*l.* The occupants must (1.) have been in occupancy of premises of the necessary description and value for twelve calendar months before the end of July; (2.) have resided six calendar months, previously to the end of July, within the borough, or within seven statute miles of it; (3.) have paid, before the 20th of July, all assessed taxes due for the premises previously to 6th of April; and (4.) they shall not have received parochial relief, within twelve calendar months previously to the end of July. Joint occupiers have right where the premises are of sufficient value.

Ownership. All persons who are the true owners of premises as above mentioned, within boroughs, of the yearly value of 10*l.*, whether they have occupied them or not. But though occupancy of the premises for which enrolment is claimed be not necessary, the claimant must have resided in the town, or within seven miles of it, for six calendar months before the end of July.

7. — Provision is made for keeping a register of voters, without entry in which no one shall vote, and for correcting the register annually; for which purpose any new claims must be given in on or before the 20th of July; and the sheriff is to

decide on these, admitting or rejecting them before the 15th of September. Appeals against his decision are presented to the sheriffs attending the circuit courts, when the county or borough is within a circuit. In the counties of Edinburgh, Haddington, and Linlithgow, where no circuits are held, the appeal is made to the three sheriffs of these counties jointly.

8. — Eldest sons of Scotch Peers are entitled to be registered and to vote at all elections; and are eligible as members, though not registered: and no member for any county is required to be qualified as an elector, or to hold any superiority within such county. As to members for boroughs, no qualification is required.

It is evident that the Reform Act has given Scotland a new constitution; and few have denied that she needed one. For a lengthened period her real constitution was not allowed fairly to operate; the creation of fictitious votes being a palpable evasion of the laws under which the constituency of the counties was originally created. But the system itself, in its genuine spirit, was essentially unpopular, and did not provide for the protection of the most important interests of the nation. The nature of the constituency threw the political influence in shires entirely into the hands of the greater landed proprietors; small estates being in Scotland comparatively rare, and difficult to be procured, unless without the superiorities. The old borough system has been defended by no one. To Scotland, indeed, which, without her trade and manufactures, would be the poorest country in Europe, the vicious representation of the towns, which are the seats of commercial industry, was the most grievous of evils.

For the proportion of the present town and country constituency to the population, see *antè*, p. 236.)

Sect. II. *Administration of Justice in Scotland.*

The most important epochs in the administration of justice in Scotland are the following: —

1. The institution of the Court of Session in 1532, as the supreme civil court, in the place of the Parliamentary Committees, which had previously discharged the same duties. For a long time the court retained many defects of constitution, and was subjected in various ways to improper influence. But, after the Revolution, it was considerably improved; appeal was then recognised to the court against all civil sentences of inferior courts, and a second appeal from the court to the House of Lords. It was further improved by an act, passed in the tenth of George II., which deprived the Crown of the power to appoint Lords of Parliament to sit and vote in court along with the permanent judges.

2. The next great change took place in 1746; and operated most advantageously on the administration of criminal justice. It consisted in the abolition of those hereditary rights of jurisdiction, which, held by private persons, and extending over the whole country, interfered grievously with the powers of the King's courts. The statute expressly abolished the hereditary sheriffdoms, whose possessors had exercised uncontrolled jurisdiction in every county; and it virtually put an end also to the baronial or manorial courts, and, in short, to all private jurisdictions. It left free room for the supreme criminal court established long previously; and, by vesting the sheriffdoms in responsible public judges, it originated those local courts the jurisdiction of which in civil causes has since conferred the greatest benefit on the country.

3. The last great improvement commenced in 1808; and, although already far advanced, has still, perhaps, to receive its completion. The object of the various statutes passed since that year has been to increase the efficiency of the Court of Session, and of the civil courts of the sheriffs. The judges of the supreme court have been arranged on a new footing, and their number reduced: the forms of pleading have been simplified both in that and the Sheriffs' Courts; and, in the Court of Session, *viva voce* have been substituted, so far as possible, for written pleadings: trial by jury in civil causes, disused in Scotland since the institution of the Court of Session, has been again introduced into that court, though not into the others: and the Admiralty, Consistorial, and Exchequer Courts have been abolished; their jurisdiction being conferred partly on the sheriffs', and partly on the supreme, courts. Changes have been also made in the criminal department; though, with the exception of the radical and most important change which deprived the judges of all influence in the choosing of juries, these have been comparatively trivial.

The inferior courts of law are the courts of the boroughs, of the justices of peace, and of the sheriffs. The last-named courts dispose of a large proportion of the civil questions which arise in the country; the operation of the others is limited. The only supreme civil court is the Court of Session: the only supreme criminal court is the Court of Justiciary.

Generally speaking, the decisions of all inferior courts are subject to review by the two supreme courts. Decisions of the Court of Justiciary, whether pronounced in the high court or in the circuits, admit of no appeal; but judgments of the Court of Session may be appealed from to the House of Lords, as coming in place of the Scotch parliament.

1. — The magistrates of royal boroughs possess by their charters jurisdiction, both civil and criminal, within their own territory. Their courts are familiarly termed "Baillie Courts," from the title of the magistrate, resembling the English alderman who presides in them with the assistance of a legal assessor. Their civil jurisdiction within the borough is equivalent to that of the sheriff in the county; but the number and value of the causes brought before them vary according to the reputation of the assessor, and the amount of their business is in all cases limited. As criminal judges, the magistrates possess the powers necessary for maintaining the police of the borough. Their jurisdiction extends to no offence more serious than petty riots; and the punishments they can inflict do not exceed fine, imprisonment, or banishment from their territory. Another borough magistrate, the dean of guild, or head of the merchant company, anciently possessed jurisdiction in mercantile causes: this is now lost; and his most important functions are, exercising superintendence over the markets, and removing such nuisances as ruinous buildings, &c. The magistrates of boroughs not royal have also jurisdiction, the extent of which depends on their charters, but is in all cases trifling.

2. — An act, passed soon after the Union, was meant to confer on Scotch justices of peace the same powers which the English justices possess; but, although the extent to which their powers are exercised varies in different counties, the nature of the judicial arrangements in Scotland nowhere allows these powers to be exerted to their full height. Their powers are properly only those which are necessary for the maintenance of public order. They can singly commit criminals; and hold petty sessions where two are a quorum, and quarter sessions: they have power to convict under the game laws, and in some revenue cases; but without, in any instance, possessing the power of transportation: they decide in questions between

masters and servants, &c. Special statute has conferred on them one very useful branch of jurisdiction, purely civil; namely, the holding of small-debt courts, for deciding actions for debt where the demand does not exceed 5*l.* besides costs. In such causes, their decision is subject to no appeal; and their procedure is of the same summary nature with that in the courts lately instituted under the sheriffs for the same sort of causes: the latter have already taken away great part of the business which used formerly to come before the justice of peace small-debt courts.

3. — The Sheriff Courts deserve to be minutely considered, especially their jurisdiction in civil causes; as the number of these which comes before them is great and increasing. The Scotch sheriff is a paid legal functionary, who, besides various executive duties resembling those of the English sheriff, is also a judge possessing within his county a jurisdiction which, though in criminal matters confined, is in civil causes extremely extensive.

Each county of Scotland has one principal sheriff, called, though now improperly, sheriff-depute. He is named by the Crown, must be an advocate (barrister) of at least three years' standing at the time of his appointment, and cannot act as counsel in any cause which comes from his county. He holds his office during life or good behaviour; and receives a salary, varying from 350*l.* to 1,200*l.* a year. In two counties, Edinburgh and Lanark, personal residence is required. In the other shires the sheriff is bound by the letter of the law to reside within his sheriffdom at least four months every year; but the regulation is not enforced. Each sheriff is entitled to name one or more substitutes, to act either for the whole shire, or for a particular district of it: one at least is named, and in most counties only one; but in some counties more. The sheriff-substitute must now be an advocate of three years' standing, a writer to the signet, or solicitor of supreme courts (both classes of attorneys in Edinburgh), or a solicitor before a sheriff court of three years' standing. He receives a salary from government, and holds his office during the pleasure of the principal sheriff, who is responsible for his acts. He resides constantly in the county, and it is by him that most of the business of the office is performed, both out of court and in it; the principal sheriff exercising merely a power of superintendence and review, and usually visiting the county only when special matters require his attendance. The duties, both of counsel and attorneys before the sheriff courts, are performed by the same class of practitioners, called writers or solicitors, who perform also those other kinds of business which correspond to those of the English attorneys.

The ministerial or executive duties of the sheriff are tolerably multifarious. He executes writs issuing from the exchequer, and in general attends to the interests of the Crown in his sheriffdom: he returns the juries both for civil and criminal trials: he is the returning officer at elections for the county and boroughs; and, under the Scotch Reform Act, decides on claims for enrolment in the list of voters. He has to attend to the preservation of order in the county; and the apprehension and committal of criminals are chiefly devolved on him. The mode of procedure in these matters, and the nature and extent of his criminal jurisdiction, will be explained in treating of the constitution of the supreme criminal court.

The lowest branch of the civil jurisdiction of the sheriff is exercised in the small-debt courts, instituted in 1825 for the decision of questions of debt not exceeding 8*l.* besides costs. In these causes no counsel or solicitor is allowed to attend, nor any pleadings or evidence to be taken down in writing unless particular difficulties should occur: the parties appear, and are heard personally, and may be examined on

oath: the costs do not exceed 2*s.* or 3*s.*, and the decision is subject to no appeal.

In the sheriff's court of record, his civil jurisdiction is not limited by the amount of the interest at stake. It extends to all personal actions, on bond or other obligation; and to those actions relating to real property, where not the right of property, but merely the possession, is in question; such as actions by landlords to have tenants removed, or by tenants or other lawful possessors against any one who has violently turned them out of possession. The sheriff, also, can decide, in the first instance, on all admiralty and on some consistorial actions. The pleadings in these actions are in writing, scarcely any *vivâ voce* pleading being usual; the late regulations have had it in view to introduce into the form of the pleadings the same principles which have been enforced in the procedure of the Court of Session. Some sheriffs seem to have brought their forms much nearer those of the supreme court than others; but the object in all is the shortening the pleadings, and keeping the recital of facts distinct from the legal inferences. The writ which commences the action having been, by authority of the judge, served upon the defendant, he is allowed to answer it in writing; and, if necessary, further pleadings are allowed to be given in within a fixed time on each side; but these pleadings, forming what is called the record, should not be argumentative. When both parties have consented to let the cause go to judgment on the pleadings and documents given in, the parties are prohibited from making new statements, or giving in new writings in evidence. The sheriff-substitute then considers at chambers the writings in the cause; and, if there be no disputed facts, or none which are not settled by the evidence produced, he pronounces judgment. Against his decision the losing party is allowed to appeal by an argumentative petition, which the other party may be permitted to answer; and the cause, with these new pleadings, is then considered anew by the sheriff-substitute. Against the judgment which he then pronounces, whether adhering to or recalling the former, either party may appeal to the principal sheriff, before whom the cause is then laid without any new pleadings; and his decision is final in the sheriff court. If proof by witnesses be required, it should be taken in presence of the judge: but, as the other business of the sheriff-substitute makes this generally impossible, a commission is usually granted to a legal practitioner, or clerk of the court, before whom the solicitors for the parties examine the witnesses; and their evidence, taken down in writing, and authenticated under the direction of the commissioner, is transmitted to the sheriff for his consideration. In case of differences at taking the proof, any decision of the commissioner may be submitted to the review of the sheriff-substitute; and his decision, both on this and other incidental points, may, like his decision on the merits of the cause, be appealed from to the sheriff-depute.

The sheriff's decisions in civil causes may be brought under the review of the Court of Session in more than one way. If no step of execution has followed, or if none can follow, on the judgment, the form is that called advocation, by which, on an application to have the sentence altered, the court decides on the cause from the pleadings before the inferior court; neither party being allowed to put in new pleadings, unless on payment of the expenses in the sheriff court. The party making the application must also put in caution (bail) for the costs in both courts, if they shall be found due: and this mode of review is subject to some other limitations. Generally speaking, it is allowed only where the decision complained of is final, and has exhausted the cause: in the case of incidental decisions in the course of the action, it is permitted on the ground of incompetency of the action in the

inferior court, — of contingency (connection of the action with one already in dependence before the supreme court), — of objection in respect to the mode of proof or to some change of possession, where a judgment has been given or refused for a partial payment of the sums claimed; the question as to the surplus remaining to be settled. It may also take place where, the sum at issue being above 40*l.*, either party conceives that the case ought to be tried by a jury, which it cannot be before the sheriff. By these limitations of the right of appeal, parties are prevented from unnecessarily stopping the progress of the cause in the inferior court; and, even in the case of judgments on the merits, advocation is prohibited where the sum claimed is under 12*l.*, and in certain other actions, such as those limited by statute to particular courts. If any step of execution have been taken, the cause may be brought into the supreme court, by an application for having the execution suspended (staid), upon cause shown: the application stays execution till the question be disposed of; and the sentence of the court stays it finally, or allows it to go on. Suspension, being a remedy against extreme measures on the part of the adversary, is allowed in many cases in which advocation is not; as, for instance, in actions under 12*l.*: but, in general, the party using it cannot go on without finding security for paying the sums demanded, if they shall be found due. Another mode of review is by a more tedious but also a more effectual action, called reduction; the object of which is, to have the decree of the inferior court solemnly reduced (cancelled). Besides these modes, final judgments, in actions under 25*l.*, may at a small expense be brought under review of the judges on the circuits, before whom the cause is argued *vivâ voce*: but this mode of appeal is seldom resorted to.

The following lists, from official returns, may give an idea of the working of the ordinary civil courts of the sheriffs in some of the principal counties; and also of the effect which their small-debt courts have had in diminishing the business of the justice of peace courts for small debts. —(*Report of the Law Commission*, 1834.)

Counties.	Civil Causes decided in Sheriff Courts during 5 Years preceding Whitsuntide, 1832.		Number of Causes decided in the Small-Debt Courts, in 1832; 7 Years after Institution of Sheriff Small Debt Court.	
	Causes decided by Sheriff-Substitute.	Of which, appealed to Sheriff-Depute, and decided by him.	Causes in Justice of Peace Small-Debt Court.	Causes in Sheriff-Small-Debt Court.
Aberdeen	1,119	543	2,322	2,769
Ayr - -	1,861	1,461		
Edinburgh	1,584	611	9,254	4,055
Lanark	5,622	1,725	9,001	11,182
Perth -	3,166	887	993	1,543

4. — The supreme civil court of Scotland, called the Court of Session, received its title and constitution by a statute of James V., in 1532. It holds in Edinburgh two terms, or, as they are called, sessions, annually: the winter session lasting from about the 12th of November to the 12th of March, with a Christmas recess of three weeks; and the summer session from the 12th of May to the 12th of July, without recess. The privy council has power to lengthen the sessions, if necessary; and jury trials, when they cannot take place during session, take place in Edinburgh soon after the rising of the court, or before the judges, who go on the criminal circuits in vacation and recess. During session the court sits five days a week; there being no sittings on Monday, except occasionally for jury trials.

The number of judges, formerly fifteen, is now thirteen: they are styled Lords of Session; are chosen from the bar, are appointed by the Crown, receive salaries from government, and hold their offices during life or good behaviour. Originally, the court formed only one chamber; but, since 1808, it sits in two, which form, in effect, two courts of equal and independent authority; neither chamber applying for the advice or concurrence of the other, except in questions of unusual difficulty. These two courts or chambers are called the first and second divisions. But, besides, an arrangement is made by which causes, coming into either division, are twice decided if necessary: first, by a single judge, and afterwards by a bench of four: the judges who sit singly forming what is called the Outer House, and those who sit together constituting the Inner House. The head of the whole court, termed the Lord President, presides in the first division of the Inner House, with three other judges as his assessors: and the second division of the Inner House is also composed of four judges; the president being the Lord Justice Clerk, who is also the acting head of the supreme criminal court. These eight Inner House judges are the seniors; and the remaining five form the Outer House, sit singly, and are commonly called Lords Ordinary, a title which properly belongs to all the judges excepting the two presidents. The judges of the Outer House have no seats in the Inner House, except when consulted on difficulties. The four senior of them belong two to each division; and causes decided by any one of them can be reviewed only by the division to which he is attached. The junior judge of all decides in certain peculiar classes of actions; and these may be entered in either division, at the choice of the plaintiff, who, in other causes, may choose any of the other four Outer House judges. The arrangements regarding the judges seem to require improvement. The mode of hearing causes in the Inner House does not give satisfaction; and the judges there are not fully occupied, while the Outer House judges are over-worked — the junior judge very much so.

The ordinary judges of the Court of Session have each 2,000*l.* a year. Those that are also judges of the Justiciary, or Criminal, Court have each an additional 500*l.* a year. The president of the Court of Session has 4,400*l.* a year; and the Lord Justice Clerk, or president of the Court of Justiciary, has 4,000*l.* a year.

The barristers who practise before this court form a body called the faculty of advocates; and their elective president is styled the Dean of Faculty. The only precedence belonging to counsel in the Court of Session, besides that of seniority, belongs to the Dean, and to the two Crown counsel — the Lord Advocate and Solicitor-General. The number of the faculty is at present 458; of whom only a part are in practice. The attorneys or solicitors before the court, usually called agents, are, the society of writers to his Majesty's signet — a highly privileged body; the solicitors before the supreme courts; and the advocates' first clerks. Both among the counsel and solicitors, certain members are appointed to conduct *gratis* the causes of individuals who exhibit certificates of poverty, and show that they have just cause of action; and on such causes no fees of court are charged.

These judges, counsel, and agents, with the officers of court, form the body called the College of Justice, which, besides exemption from some local taxes, of which it will probably be soon deprived, enjoys also the privilege of having all suits, at the instance of its members or against them, tried before the Court of Session.

The Court of Session judges both in law and equity; and recognises no division of suits into actions, in law or in equity, nor any distinction of forms as applicable to these. Its jurisdiction extends over all Scotland, and is twofold — original jurisdiction, and jurisdiction of appeal. Its original jurisdiction is in most matters

shared by the inferior courts; but in some actions it is exclusive. Such are, actions for having the subsistence of a right of property, or inferior right in heritage, declared by a sentence of court; all other competitions of hereditary right; actions of reduction (*i. e.* for cancelling and setting aside deeds, contracts, decrees, &c.); judicial sales of the property of minors or bankrupts; the *cessio bonorum*, — an action by which an insolvent debtor, who has been thirty days imprisoned, obtains liberation on giving up his whole property on oath to his creditors. Its jurisdiction on appeal extends, with few exceptions, to all judgments of inferior courts. In a few matters, the court possesses only an appellate, and no original, jurisdiction: such are suits where the demand does not exceed 25*l.*, which must be brought, in the first instance, before an inferior court. Since the late abolition of the Admiralty Court (1830), it has likewise original jurisdiction, along with the sheriffs, in admiralty causes; and the power of reviewing sentences pronounced by the sheriffs, as inferior admiralty judges. The Commissary (Consistorial) Court having been abolished at the same time, most consistorial cases may be decided either in the Court of Session or the sheriff courts, the supreme court always having the power of review; and, in some consistorial actions (as actions of divorce, bastardy, for having the existence of a marriage judicially declared, &c.), the jurisdiction of the Court of Session is exclusive. The circumstance, too, that the jurisdiction of every inferior judge is confined to his own territory, often makes the jurisdiction of the Court of Session exclusive in all those different kinds of causes. Instances of this occur where the defendants reside in different counties; or where a defendant does not reside in any part of Scotland, but is subjected to the jurisdiction of the Scotch courts, by possessing property in the country.

Suits are instituted in the Court of Session in one of three forms. 1. — By a summary application or petition, reciting the ground of action and craving redress. This form is allowed only in certain kinds of causes, to some of which it is appropriated by statute; as in proceedings under the bankrupt acts, sales and exchanges of entailed estates, &c.: while others are such causes as fall under the cognisance of the court as the supreme tribunal of the country; for instance, the appointment of legal guardians to protect the interests of those who, from nonage, imbecility, or absence, cannot act for themselves. In such causes, the Inner House decides without a previous sentence of the Outer House; merely, where necessary, remitting the cause to the junior Outer House judge, to superintend the preparation of the pleadings, and to send it back to the Inner House when ready for decision. 2. — The form of writ, by which far the greater number of suits commence, is called a summons. It issues from the King's signet office; and seems to combine the English original writ and declaration. It may be said to consist of three parts; a narrative of the facts which have made the suit necessary, a specification of the plaintiff's demands on the defendant, and a warrant to proper officers to call the defendant into court. The general rule is, that suits originating by summons are decided, in the first instance, by an Outer House judge, whose sentence may be reviewed by the Inner House; but, in a very few even of these, the Outer House judge can only direct the making up of the pleadings, and lay the cause before the Inner House for decision. 3. — The third form is applicable to those actions called advocations and suspensions. The nature of these has been already explained: but the form of suspension is used also in another class of actions, where the plaintiff's object is to have the defendant interdicted (prohibited) from doing or continuing some act which is prejudicial to his (the plaintiff's) interests. In causes admitting of this remedy (which are considered as requiring despatch) the form of proceeding partakes of the nature of the former

two. The first step is presenting an unauthorised summary petition; but the petition prays not for redress of the wrong, but for warrant on the keepers of the signet to give out a writ resembling the summons, which writ shall commence the action in court. This application is presented in a subordinate chamber of the court, called the bill-chamber, which is designed for the speedy disposal of all questions in which the delay of justice would be injurious. It is open every lawful day of the year, excepting a few holidays; and has only one judge, who in time of session is the junior judge of the court; while, during vacation, the duties are performed in weekly rotation by all the other judges, excepting the two presidents. If the judge in the bill-chamber refuse the prayer of the application, his decision may be reviewed by the Inner House during session, or during vacation by the judge next in rotation; and if the application be granted in any of these ways, the writ demanded is taken out, and the cause proceeds before one or other of the four senior judges of the Outer House, in the same manner as an action originating by a summons. If the application be finally refused, the cause can go no further; and the legal execution, or other act complained of, may go on. In certain cases, however, the previous application is mere matter of form, and ought to be abolished.

The late legislative changes in the judicial forms, and the regulations of court in furtherance of these, have left these general forms of action untouched, altering only the mode of procedure after the cause has come into court. The faults of the old forms appear to have been, an unnecessary number of written pleadings; a prolix and complicated style of pleading, mixing up fact with arguments; want of power in the judges to compel the giving in of pleadings within a reasonable time; and an undue facility for applications to the judges to reconsider their judgments. According to those who have seen both systems in operation, the new forms have done much to remove these defects. We may understand the means adopted for this purpose, if we trace through all its stages a suit commencing by a summons.

On the expiration of a certain time after a copy of the summons has been delivered to the defendant, — usually twenty-seven days, if he be in Scotland, — the suit may be called (entered) in court; and within a certain time after this step, — usually thirteen days, — the defendant, if he mean to resist the action, must lodge a paper in court, denying or admitting the facts alleged, stating any other facts which he offers to prove, and annexing a short summary of the legal pleas on which he founds his defence. The defences and all subsequent pleadings must be drawn by counsel; and after the defences have been given in, every order in the cause must be moved for in court, in presence of the judge, and granted in writing under his hand. The judges have no power to devolve these duties on any one; but the performance of them occupies a great part of the time of the Outer House judges, and it has been lately proposed to put the preparation of the pleadings under the superintendence of an officer of court. The pursuer (plaintiff) then, having caused the suit to be entered in a public roll of court, appears by counsel before an Outer House judge; and, if the cause be not defended, obtains judgment as craved in his summons. If defences have been given in, the parties may let the cause go to judgment, on the two papers already in court; but this they are seldom willing to do. More specific pleadings are accordingly ordered; the plaintiff giving in what is called a condescendence, and the defendant, after seeing this paper, lodging answers to it. The plaintiff is then allowed to see this new paper of his opponent, and to make any necessary alterations on his own pleading; and the defendant is allowed to see the revised paper, and make corresponding alterations on his. If possible, only one revisal should be permitted on each side;

but, as yet, the judges have not always found it possible to enforce this. A time is always fixed for giving in or revising a pleading — usually ten or fourteen days, and rarely twenty-one; and the time so fixed can be lengthened only by consent of the other party, or, only once, by leave of the judge, on cause shown. If the time have been allowed to expire, without such extension having been granted, the pleading cannot be received; and the party failing has judgment pronounced against him in the cause, from the consequences of which he can be relieved only at considerable expense, having to present a printed petition to the Inner House, and to pay the other party a sum of costs, at the discretion of the judge. The condescendence and answers thus mutually revised contain on each side, (1.) a statement of the facts which the party affirms and offers to prove set down in separate numbered articles or heads; (2.) an answer to the statement of the opposite party, specifically admitting or denying each article so far as known; (3.) a short summary of the legal pleas on which the party maintains his cause, without quotation or argument. The pleadings now in court form what is called the record of the cause; and the next step is for the judge to read these at chambers, for the purpose of ascertaining whether they are in proper shape: on his returning the papers, the counsel again appear before him, make any alterations he suggests; and an important step takes place, which is called closing the record, the effect of which is to bar both parties from affirming any new fact which they previously knew, or exhibiting as evidence any new documents which they had it in their power previously to exhibit. Down to this stage, either party has had it in his power to move for any order, on forty-eight hours' notice; and, in simple cases, no long time need have been consumed; but delays may occur, one example of which is — when either party wishes to exhibit as evidence documents not in his possession; in which case, on cause shown, the judge grants authority for summoning the holders of such writings before a specified commissioner, who transmits the writings to the court. After closing the record, and entering the cause for decision, the parties can take no farther step; the cause must lie over till the judge has heard the causes previously ready. When the cause comes on in its turn, the counsel appear for the purpose of debating it, *vivâ voce*: this oral debate being substituted for the old argumentative pleadings in writing. The judge has already had the record before him for reading; and each party has a right to be heard by two counsel, the juniors speaking first; and the judge may either pronounce judgment at once, or consider the cause again at chambers with the pleadings and written evidence before him, and there write his decision: or, if any difficult questions of law be raised, he may report the cause to his division of the Inner House, to be decided by the judges there: or, again, if the cause involve details unfit for oral explanation, he may order written argumentative pleadings, called cases, and either decide the cause on these, or send them to the Inner House. If farther proof be required, he may make such order as shall supply the defect; if, for example, the cause involve matters of account, he may remit it to a private professional accountant, whose report will come before the judge to assist his decision.

If the judge have decided in favour of either party, the losing party may apply, within twenty-one days, to the judge's division of the Inner House, to have the decision reviewed. The application is made by simply annexing to the sentence complained of a notice that the party craves to have the judgment altered. No new pleading is allowed on either side. When the cause comes in its turn to be decided in the Inner House, the judges there have previously read the papers, which have been printed and distributed for them; and parties are heard by counsel, one for

each; the counsel for the party petitioning having the right of reply. The decision of the Inner House can be reviewed only by the House of Lords, for which purpose appeal may be lodged within two years; the Court of Session having power in the meantime to permit execution of the judgment, on the party requiring it finding security to refund with interest, if the decision of the court of appeal should be against him. The awarding costs is discretionary: costs are most frequently given, though sometimes only in part; an account is given in and audited by an officer of the court, subject to correction of the judges.

At present, also, many causes may be brought to jury trial, which was first introduced or reintroduced by way of experiment in 1815, in a separate court, the president of which was an eminent English barrister; the other judges being judges of the Court of Session. The system having been brought into order in this court, a statute of 1830 abolished the jury court, and made trial by jury a constituent part of the procedure in the Court of Session; but without extending it to the inferior courts, for which it is still considered unfit. Difficulties were found in making the system efficient, which have now, however, been in a great measure overcome, so far as the procedure of the court is concerned; but it is believed that there still exists a disinclination to jury trial on the part of the litigants, founded, in a great measure, on the fear of the expense.

The old method of taking the evidence of witnesses in the Court of Session, was by having them examined, when that was possible, in presence of one of the judges, under whose direction their evidence was put in writing, and transmitted to the court; and where this method could not be followed, the evidence was taken on commission, in the way already explained as practised in the sheriff's court. The former mode has been long disused; and the latter, since the introduction of jury trial, is discouraged, being allowed only on cause shown, even when both parties desire it; although it must necessarily be resorted to when a witness is abroad, or may be expected to die before trial can come on. Different acts of parliament have now appropriated certain suits exclusively for trial by jury. The list is a long one: it includes all actions on account of injury to the person, whether real or verbal; all actions on account of injury to moveables or land; all actions for damages on account of breach of promise of marriage, &c.; all actions for nuisance, on policies of insurance, charter-parties, and bills of lading, &c. &c. Jury trial may also be insisted on by either party, in all suits where the facts are disputed; and it is said, that the fear of being so forced to a jury, together with the new mode of pleading, have made parties of late much more guarded in their statements. Where trial by jury is to have place, a record of the cause is first made up in the form already detailed; the last article of the record being the issues which are to be tried, in adjusting which much difficulty was at first experienced; trial takes place either in Edinburgh or before the judges who go the circuits. Before trial, the parties may *precognosce* the witnesses, as it is called, that is, examine them, *à priori*, to ascertain what they can prove; but, after a witness has been cited by warrant of the court, the parties can hold no further communication with him. The parties need not exchange lists of witnesses. The juries are either common or special. Common jurors are qualified by possessing lands worth 5*l.* yearly, or moveable property worth 200*l.* Special jurors are persons who pay cess (land-tax) on 100*l.* of "valued" rent, or assessed taxes on 30*l.* of house rent; or, who possess, in hereditary property, 100*l.* yearly of real rent, or moveable property to the value of 1,000*l.* If the trial be to go on before a common jury, the jury is balloted for, from a return of not fewer than thirty-six; each party being

allowed to challenge four jurors peremptorily, besides previously challenging for cause assigned. Either party, on due notice, may claim a special jury; and such jury is formed by the parties meeting before an officer of the court, and each striking off names alternately from a list of thirty-six, till the list be reduced to twenty names: these twenty jurymen are summoned, and the first twelve who appear form the jury. The jurors in civil causes are twelve, and their verdict must be unanimous; both of which circumstances are deviations from the rule in criminal causes: they are allowed twelve hours to consider of their verdict, but may have longer time if they unite in demanding it. The plaintiff's counsel opens the cause before calling his witnesses; and the counsel for the defendant addresses the jury after the plaintiff's witnesses have been examined; and if the defendant then proceeds to call witnesses, the plaintiff may address again, after their examination is closed. It may be noticed, that in all trials in Scotland, civil and criminal, the witnesses are shut up in a room by themselves, at the commencement of the trial, and not allowed to hear each other examined. After the evidence and speeches of the counsel, the judge charges the jury. Costs do not follow of course on a verdict, and the jury has no power to give them; they must be demanded when the cause, after trial, is brought into the Inner House, to have judgment pronounced in terms of the verdict. No verdict of a jury can be appealed from to the House of Lords: the only remedy is an application to the Inner House for a new trial, on the ground of misdirection by the judge, illegal conduct by the jury, or the verdict being contrary to evidence. The decision of the court, granting or refusing new trial, cannot be appealed from; but if the verdict have left any questions of law for the decision of the court, their judgment on these may be reviewed. New trial cannot be granted unless the party claiming it pay the expenses of the first. During the four years before the late Judicature Act came into operation (11th Nov., 1825), the number of causes in the Court of Session averaged 2,143. In the four years next following, the average was 1,998. In 1831, the number of causes enrolled in the Outer House rolls was 1,956.

Besides a civil jurisdiction, the judges of the Court of Session sit under a separate commission, as the Teind (Tithe) Court. The parish clergy of Scotland draw no tithe; but receive fixed stipends or salaries, for payment of which a certain proportion of the fruits of the land, called teinds, is liable, so far as required. The proportion is nominally one fifth; but the judicial valuations, being chiefly old and indulgently framed, the real amount is very much inferior; so much so, that in many parishes the whole tithe is not sufficient to afford the minimum stipend of 150*l.*, the deficit being made good by the bounty of parliament. The office of the Teind Court is to settle all questions regarding tithes, to disjoin or unite parishes, change the situation of churches, &c.; and the court has power to augment the stipend of each parish once in twenty years, on the suit of the clergyman, which the proprietors of the tithes are, at the same time, entitled to resist. For these augmentations, and some other business, the thirteen judges sit every second Wednesday during session; but the more laborious parts of their duties are devolved, like all other annoying work, on the junior judge, who takes up such questions every Saturday.

The abolition of the Admiralty and Consistorial Courts, in 1830, has been noticed. In 1832, the Court of Exchequer was likewise abolished; but the Act does not come fully into operation till the death or resignation of the present judges; after which the duties of the court, chiefly trials in revenue causes, will be performed by one of the judges of the Court of Session.

In no civil court of Scotland is it possible by any device to procure, before or during process, arrest of the person of the opponent; unless in the solitary case where a creditor makes oath that his debtor intends to abscond from the kingdom. But it is usually possible, without personal arrests, to compel a defendant to find bail for satisfying all the demands of the suit. In Admiralty causes, as it is supposed the parties may often be foreigners, security may be applied for directly; and in other actions it may generally be obtained indirectly, through what is called arrestment, which is a legal process executed against the debtors of a defendant, prohibiting them from making payment. This prohibition may be kept up till the determination of the cause, unless the defendant enter satisfactory bail. The execution of judicial sentences is still encumbered by antiquated forms: but in essential matters the procedure is simple enough. The first writ, for issuing which the decree of court is the warrant, is directed to the inferior officers of court, and authorises them (1.) to command the debtor to obey the terms of the decree, within a fixed time, usually fifteen days; and, (2.) on the expiration of this time, if obedience have not been given, to seize his movable goods, and return the writ into court, with the certificates necessary for authorising arrest of the person. On exhibition of the first writ and certificates, a second writ is issued, which authorises personal arrest. Upon protested promissory notes, and bills of exchange, the same summary procedure may by statute follow, without a real decree of court; and, in bonds, &c., it is usual to insert a consent to summary execution, which is quite effectual to authorise it. The remedy against execution, in all these cases, is an application to the Bill Chamber. If the debtor be finally imprisoned, he may, on making oath of poverty, obtain a small aliment from the creditor, who must grant it in ten days, on pain of having the debtor dismissed. After thirty days, an imprisoned debtor has the remedy of *cessio bonorum*, already mentioned.

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5. — The Court of Justiciary, the supreme criminal court of Scotland, instituted in 1672, consists at present of six judges, who are also judges of the Court of Session. Besides these, the nominal head of the court is, or rather was, the Lord Justice General, — a sinecure office, held by a nobleman, on whose death it will not be filled up; its duties being then to devolve on the Lord President of the Court of Session. At present, the acting head of the court is the Lord Justice Clerk. The court holds sittings in Edinburgh during the vacation or recess of the Court of Session, and occasionally on Mondays during the terms of that court. And twice a year, in the spring and autumn vacations, the judges hold circuits in the chief provincial towns; two going each circuit. An additional circuit is now held in Glasgow, during the Christmas recess; and the Privy Council may appoint more when necessary.

The rule of the Scotch law is, that criminal prosecutions shall proceed, not at the instance of the party injured, but at that of a public officer, and at the public expense; the private party having it always in his power to prosecute in his own name, even after the public prosecutor has refused, if he choose to do so at the risk of being found liable in damages and costs. The public prosecutor is the first Crown counsel, the Lord Advocate, who has the assistance occasionally of the Solicitor-General, and always of four advocates depute, on whom, indeed, most of the business devolves, especially that of attendance at the circuits. In every county and borough is an officer, called the procurator-fiscal, whose duty it is to attend to the apprehension and examination of criminals. On receiving an information

subscribed by the party injured, he procures a warrant from a magistrate for committing the accused person for examination. This examination, in practice, takes place almost invariably before the sheriff-substitute, who examines witnesses without oath, and allows the prisoner, if he please, to make a declaration, which, properly attested, may be founded on at trial as evidence against him. The committal for examination cannot last more than a few days, without subjecting the magistrate who made it to a suit for damages; and the procurator-fiscal acts under a like responsibility, which, however, does not extend to the Crown counsel. If no case be made out on the examination, the prisoner is dismissed: otherwise, the sheriff commits him for trial, and transmits the evidence to the Crown counsel. This committal, likewise, is made under a liability in damages, if it have been improperly ordered.

The moment a prisoner is committed for trial, he may protect himself from undue delay of trial by the remedy called "*running his letters;*" a process in force since 1701, and analogous to the Habeas Corpus. The prisoner presents an application to any judge competent to his trial, who must, within twenty-four hours, give an order on the public prosecutor to bring on the trial within sixty days, with intimation that at the end of that time the prisoner will be discharged. When the crime is serious, and the time of circuit distant, this application often compels the Crown counsel to have the prisoner and witnesses brought to Edinburgh at great expense. If, at the end of the sixty days, no criminal indictment have been executed on the prisoner, he must be set at liberty, but might be anew imprisoned, on a warrant from the Court of Justiciary. In this case, if the trial be not concluded within forty days after the second apprehension, the prisoner must be set again at liberty, under heavy penalties to those detaining him; and is then declared for ever free of the charges against him.

The magistrate must, on application, grant or refuse bail, and fix its amount within statutory limits. All except capital offences are bailable.

The Crown counsel, on examining the declarations of the witnesses, may immediately order the prisoner to be liberated, or fix his trial, either before the Justiciary or Circuit Courts, or, if the crime admit of it, before the sheriff. Even in the course of last century we find the sheriff exercising a criminal jurisdiction, which extended, in some cases, to life and death; but his powers are now greatly limited. The causes usually remitted by the Crown counsel for trial before him, are those where the counsel thinks there is cause for prosecution, but that the result should be fine or imprisonment. The sheriff's powers to dispense with a jury are not very strictly defined in law; but it is quite certain, that without a jury no sentence could be pronounced exceeding fine, imprisonment, or banishment from the county: and it is believed that, in fact, no trials take place without a jury, excepting for petty offences against the public peace. In trials before the principal sheriff and a jury, the procurator-fiscal of the shire acts as prosecutor; and the sentence may be appealed from to the Court of Justiciary, whose decision is final, it not being reviewable by the House of Lords.

In Scotland there is no coroner; and no grand jury, except in cases of high treason, which are tried in the English form, before the Court of Justiciary, or a commission of Oyer and Terminer, of which three members must be Justiciary judges.

In the progress of the ordinary causes, the indictment must be delivered to the prisoner at least fifteen days before trial. It must be drawn very specifically and accurately; extremely slight technical errors being sufficient to cancel it; and annexed to it must be a list of the witnesses and of the jurymen who are to be

summoned, and a list of the articles to be exhibited as evidence for the prosecution, which, if demanded, must be also shown to the prisoner before trial.

The day of trial being arrived, either in the High Court of Justiciary or Circuit Court, the jury are taken from a list of, at least, forty-five returned by the sheriff, of whom, two thirds are common, and one third special, jurors; and the jury is ballotted for, so that one third may be special, and two thirds common, jurors: though, if the accused be a landed proprietor, he is entitled to have a majority of special jurors. Besides challenges on cause assigned, the prosecutor and prisoner may each challenge peremptorily five jurors, but only two special jurors. The number of the jury is fifteen. If a prisoner do not appear, he cannot be convicted of the crime charged, but merely have sentence of outlawry pronounced against him; from which he may afterwards be relieved on surrendering himself for trial.

The first step is to read the indictment, and to determine on its relevancy, *i. e.* whether the facts alleged be sufficient, if proved, to constitute the crime charged. This is the stage for bringing forward all objections to the indictment, which would not be received after the court has formally declared it to be good. A prisoner has always counsel: if he be too poor to fee one, the court will order a barrister to act for him; but this is never necessary: the number of junior counsel willing to act gratuitously is always greater than that of the trials; and, in Edinburgh, at all times, and on the circuits, when important civil jury trials are to come on, it is not unusual to see the senior counsel conducting, without remuneration, the defence in difficult criminal causes.

The witnesses do not hear each other examined; and if the prosecutor can be shown to have held communication with them after they were formally cited to appear in court, the prisoner may successfully object to their being examined. The prosecutor, too, must close his evidence before the evidence in exculpation begins. The Scotch rules of evidence give the prisoner an advantage, which, in England, he enjoys only in cases of high treason: he can be convicted only on the testimony of two witnesses, or of one witness supported by circumstantial evidence so strong as to equal that of a second witness. The evidence for both parties being finished, counsel on both sides address the jury, the prisoner having the last word; after which the judge charges the jury.

The verdict need not be unanimous: the narrowest majority is sufficient to convict as well as to acquit. A verdict of Not Guilty indicates a belief by the jury in the prisoner's innocence: Not Proven indicates suspicion, but a want of proof of his guilt. Either verdict is conclusive: it is not possible again to imprison or try the prisoner for that crime. In capital cases, the Crown counsel has power, before moving for sentence, to restrict the libel, — a form which disables the judge from pronouncing a capital sentence. After sentence has been pronounced, the criminal may, as in England, appeal to the mercy of the Crown; and to allow time for this appeal, it is provided that no capital sentence shall be executed sooner than fifteen days after sentence, if south, or sooner than twenty, if north of the Tay. Till lately the time was longer.

The following table, from a late work, will show the result of the Scotch criminal system: —

Average of Cases for the Three Years ending December, 1828.

Average of cases transmitted annually to the Crown counsel in Edinburgh	589
liberated immediately from deficiency of evidence	128
remitted immediately for trial before the sheriff	137
indicted in the Court of Justiciary or Circuit Courts	216
acquitted ultimately	25

CHAPTER VII. — CONSTITUTION, COURTS, ETC., OF IRELAND.

SECT. I. *Sketch of the Political Circumstances of Ireland since the Revolution.*

THE treaty of Limerick, in 1691, forms one of the principal epochs of the history of Ireland. During the century at the close of which this treaty was contracted, the whole landed property of the country, with a few insignificant exceptions, changed masters. In the reign of James I. more than 2,800,000 Irish acres, being by far the greater part of the province of Ulster, escheated to the crown through the imputed rebellion and flight of the Earls of Tyrone and Tyrconnel; the forfeitures during the civil wars of the protectorate extended over 7,800,000 acres; and those of the adherents of James II., during the subsequent war between him and William III., to upwards of 1,000,000. The whole superficies of Ireland contains somewhat more than 12,000,000 Irish acres; "so that," as was observed by Lord Clare in his speech on the Union, "the whole of the island was confiscated, with the exception of the estates of five or six families of Irish blood, some of whom had been attainted in the reign of Henry VIII., but recovered their possessions before Tyrone's rebellion, and had the good fortune to escape the pillage of the English republic, inflicted by Cromwell; and no inconsiderable portion of the island has been confiscated twice, or perhaps thrice, in the course of a century. The situation of the Irish nation, at the Revolution, stands unparalleled in this respect in the history of the inhabited world."

The effects of the non-fulfilment, or rather violation, of the primary article of the treaty of Limerick, which guaranteed to the Catholics the same religious privileges they had enjoyed during the reign of Charles II., were immediately felt. The ardent spirits who survived the wreck of their cause, shut out from all hope of distinguishing themselves at home, withdrew to France to await some favourable chance of recovering their lost fortunes; and the original stimulus thus given to emigration was perpetuated by the operation of the penal laws, which drove the *élite* of the Catholic body to seek an asylum in a foreign land from the grinding persecution they suffered in their own. It has been stated, on the authority of records in the military offices at Paris, that, between 1691 and 1745, no fewer than 450,000 Irishmen died in the service of France.* The Catholic clergy, hunted down like animals *feræ naturæ*, were driven out after the others, with the exception of those, in number not a few, who clung to their creed and their congregations through all extremities, and continued, in spite of the combined efforts of fanatical and political persecution, to hold their religious assemblages in decayed uninhabited houses in towns, and in caves, glens, or morasses throughout the country. That part of the Catholic population which the want of means to emigrate, or the uncontrollable love of country, retained at home, finding themselves cut off from all hope of realising a respectable and permanent independence by agriculture, gave up tillage, and turned their lands to pasturage, by which they were able to maintain with little expense an existence somewhat better than that of the animals they reared, and in which the amount of their

* *M'Geoghegan, Histoire d'Irlande*, tom. iii. p. 754. See, also, *Newenham on the Population of Ireland*, p. 60.

profits could be less easily detected. The new English settlers found the hopes of aggrandisement, which had led them to expatriate themselves, checked by unexpected obstacles. Though the undisputed masters of the soil, they soon discovered that their broad lands were little better than a barren waste, if unprovided with the means of cultivation. Few in number themselves, and those few elevated to the rank of landed proprietors, they were driven to the necessity of employing the Catholic population in the performance of manual labour. Hence estates, except in the northern counties, were stocked with an ignorant, reluctant, and consequently lazy and intractable tenantry.

The operation of these causes sufficiently serves to account for the state of Ireland, for more than fifty years from the Revolution. On recurring to the annals of that period, it is nearly impossible to develope anything meriting the name of history. A space of half a century unmarked by any occurrence worthy of being handed down to posterity might, in the then rapid progress of moral civilisation throughout all other nations, be deemed a second anomaly in the state of this island, were it not that the accurate investigator is able, even in this superficial barrenness, to trace the germs of the events and circumstances that now draw upon this long neglected and unnoticed appanage of British dominion so large a share of the attention of parliament and of the public.

The history of Ireland till the year 1768, is confined to the efforts made to extirpate the Catholic religion by penal laws, and to the petty struggles of the newly formed Protestant aristocracy to assert a position of national independence with respect to their parliamentary connection with Great Britain. The principal provisions of the penal laws may be summed up with sufficient accuracy for our purpose in a very few words. By a succession of acts passed during the reigns of Anne, George I., and George II., Popish fathers were prohibited from being guardians to their own children conforming, however young, to the Protestant religion. No Protestant could marry a Papist having an estate in Ireland. Papists could not purchase lands, nor hold them by lease for a term longer than thirty-one years; and if such lease produced a profit greater than one third of the rent, the right in it ceased, and passed over to the Protestant who discovered such increased profit. The estate of a Papist was to be gavelled (divided) after his death among his children; and, in failure of children, among his collateral kindred. Papists were excluded from residence in Galway and Limerick. Voters at elections were obliged to take the oaths of allegiance, abjuration, and supremacy. No Papist could take an annuity for life. Papists teaching either publicly or privately were to be prosecuted as Popish regular convicts: Popish priests, on conforming, were to receive a stipend of 30*l.* per annum, until better provided for in the Protestant church. The following rewards were offered for discovering Popish clergymen and schoolmasters: — for an archbishop, bishop, or vicar-general, 50*l.*; for a regular or seeular priest not registered, 20*l.*; for a schoolmaster, 10*l.* Protestants were authorised to proceed in chancery to compel discovery against any person suspected of being concerned in any sale, lease, mortage, or incumbrance in trust for a Papist; all issues under such proceedings to be tried by none but known Protestants. No Papist was to take more than two apprentices, except in the linen trade. Papists were prohibited from being on grand juries. In trials on any statute for strengthening the Protestant interest, the plaintiff might challenge a Papist, which challenge the judge must allow. Papists were to find Protestant substitutes for the militia, and to pay double. They were prohibited from being high or petty constables. Barristers and solicitors marrying Papists were to be subject to all the penalties on Papists: marriages between Protestants and

Papists, or those celebrated by Popish priests, were annulled. Popish priests celebrating marriages between Protestants and Catholics, were to be punished capitally.

Such are the principal clauses of the anti-Catholic penal code, probably the most atrocious system of persecution and tyranny ever established in any European country. In his letter to Sir Hercules Langrishe, Mr. Burke says, "The laws made in this kingdom (Ireland) against Papists were as bloody as any of those that had been enacted by the Popish princes and states; and when these laws were not bloody they were worse; they were slow, cruel, outrageous in their nature, and kept men alive only to insult in their persons every one of the rights and feelings of humanity. * * * You abhorred this code, as I did, for its vicious perfection. For I must do it justice. It was a complete system, full of coherence and consistency; well digested and well composed in all its parts. It was a machine of wise and elaborate contrivance; and as well fitted for the oppression, impoverishment, and degradation of the people, and the debasement in them of human nature itself, as ever proceeded from the perverted ingenuity of man."

The spirit in which this detestable code was acted upon may be inferred from the circumstance that, in 1708, on the rumour of an intended invasion of Scotland by the Pretender, forty-one Roman Catholic noblemen and gentlemen were imprisoned in Dublin Castle; and when they were liberated, government was so sensible of the wantonness of the infliction, that their fees, amounting to 800*l.*, were remitted. About the same period the House of Commons deemed it necessary to denounce a custom continued from time immemorial for infirm people to make an annual pilgrimage to St. John's well in the county of Meath, declaring by a vote that those sickly devotees were assembled in that place to the great danger of her Majesty's government. This vote was followed by others, declaring those who did not give information of their knowledge as to the saying and hearing of mass, under circumstances contrary to law, to be enemies to the queen, and that the *prosecuting and informing against Papists was an honourable service to the government!* At the commencement of this period, the plan of establishing schools for the reception of children of the poorer classes, in the view of educating them in the Protestant faith, was devised and looked upon as an infallible means for the speedy extirpation of the Catholic faith. This device, however, was as unsuccessful as the others. Yet the schools in question, since known by the name of charter schools, have been only lately discontinued as objects of public patronage and support. Several enumerations of the population were also made at different times in the view of ascertaining the proportion between the two great divisions of the nation.

While the dominant party was thus seriously engaged in securing the Protestant interest, its efforts towards maintaining a position of legislative independence with respect to the English parliament were desultory and feeble. The details will appear more appropriately under the general view of the constitution of Ireland. As to other points, the annals of this period are marked by a struggle to resist the introduction of a copper coinage, the want of which was then much felt, proposed by an individual of the name of Wood, who had influence enough to procure a patent for the purpose from the King. The affair assumed a character of national interest through the opposition it encountered from the celebrated Dean Swift; but the English government, having wisely yielded to the burst of public feeling, the whole evaporated in a harmless though noisy explosion. A dispute about the election to the mayoralty of Dublin, and an act of the English government by which it disposed of a small redundancy of the supplies contrary to the will of the House of Commons, were the only political movements worthy even of slight notice. The

effects of the change from tillage to pasturage soon began to be felt; to meet which an act was passed, at the instigation of primate Boulter, the great supporter of the British interest in his day, that all landholders should be compelled to keep five acres out of every hundred under tillage. The Irish parliament also directed its attention to the promotion of public works, of which inland navigation was then deemed the most important, and the legislative provisions and parliamentary grants for its promotion gave rise to the canals now in existence. We have elsewhere noticed the suppression of the woollen manufacture (*antè*, p. 56.) by the parliament of England, and the encouragement given to the Irish linen trade. The Irish parliament had the meanness not only to acquiesce in the arrangement, but to sanction it by special enactments. Yet the linen manufacture took root only in the northern or Protestant districts of Ireland. The woollen had been time immemorial the staple of the south and west. Its destruction may, therefore, be considered as another cause, hitherto unnoticed, of the Catholic emigration, which abstracted so much of the national property and industry at this period. In addition to the linen manufacture, that of silk was introduced about the same time. Supported by the patronage of the Irish Court, aided by the invention of a fabric of new and beautiful texture, in which Irish woollen yarn, otherwise prohibited, was legally blended with silk, it has maintained a confined and struggling existence in the immediate vicinity of the capital, beyond which, when attempted to be extended, it invariably withered away and perished.

During the two invasions with which England was disturbed in this portion of the eighteenth century, Ireland remained tranquil. A public document of high authority declares that no vestige of evidence appears to lead even to a suspicion that, in the rebellions of 1715 and 1745, the slightest intercourse was maintained between the Irish Catholics and the partisans of James in Scotland. The celebrated Lord Chesterfield, Lord Lieutenant of Ireland during the latter of these rebellions, so far from deeming any further restrictive measures necessary against that body, chose it as a suitable time for making some relaxation in the practice of the penal code. Afterwards, on the apprehension of a French invasion in 1759, followed by the landing of a partisan force under Thurot at Carrickfergus, the Catholic Committee of Dublin, a body formed about two years before to procure the relaxation of the penal laws, presented an address to the Lord Lieutenant declaratory of their determination to adhere to the existing government; and at the same critical period several wealthy individuals of that persuasion came forward with offers, if needed, of large sums for the public service.

Two circumstances, apparently trifling, but ultimately leading to important results, mark the close of this and the commencement of a new political era. Their details, however, belong more appropriately to the general view of the Irish constitution; so that it will be sufficient here merely to state the facts. The one was the permanent residence of the Viceroy, who had hitherto visited the country but once every two years: the other was the change from parliaments terminating only on the demise of the crown, to octennial parliaments. The incipient spirit of agitation in the transatlantic colonies was another and a most active element in effecting the changes of political feeling and action that mark the interval between 1770 and the Union. The progress of the change was accelerated by the open rupture between Great Britain and the Colonies. The warning so lately given by Thurot's attempt, which might have opened the eyes of England to the facilities for invading Ireland, had been unheeded. In the desperate struggle for the maintenance of long established dominancy by Great Britain, and of newly proclaimed independence by America,

Ireland was drained of its troops, insomuch that on an alarm of invasion from France, the answer given by the Viceroy to an application for military protection was, "that the government had none to give; and that the people must look to themselves for the means of defence." The hint was sufficient. The military spirit, engrafted in the Irish by centuries of internal commotion, found at length a legitimate vent. It showed itself in the organisation of detached bodies of military. The spirit thus afloat was encouraged by government, who issued arms for the new corps of self-embodied volunteers; but, with a sagacious and unsuspected precaution, took care that the guidance of a body so formidable should devolve upon individuals who, while of acknowledged popularity as to their political sentiments, were bound to the existing order of things by the tie of large territorial possessions. The people, becoming aware of their power, began to look for a release from those shackles which had, since the revolution, paralysed the energies and dried up the resources of the nation. They called for a free trade. Their petition, backed as it was by 50,000 bayonets, was unhesitatingly acceded to. Success encouraged higher expectations. It was felt that commercial and manufacturing prosperity could only be secured by political independence. The country therefore called for a reform of parliament, the constitution of which, however amended by the alteration already noticed, was very far from affording due means for expressing the real sentiments of the great body of the people. A meeting of delegates from the volunteers of Ulster, held at Dungannon, in 1782, passed a series of resolutions declaratory of the right of Ireland to self-legislation, controlled only by the veto of the sovereign, and of the necessity of a reform in the Commons' House. The first of these demands was acceded to. Great Britain renounced, by a formal act, the right of legislating for Ireland: the question of reform was suffered to lie in abeyance. The spirit of the people could not brook delay. A convention of delegates from every volunteer corps in Ireland, for the express purpose of conveying to the legislature the call of the people on the subject of reform, was fixed to be held in Dublin in 1783. The convention met accordingly. Its only act was a resolution declaratory of the necessity of a reform in parliament; a motion to effect which, having been introduced into the House of Commons, was rejected by a large majority, on the justifiable ground of its having emanated from an armed body distinct from the legislature. The convention adjourned the next day, and never after re-assembled. The spirit of volunteering thenceforth declined. The restoration of peace rendered the services of the volunteers unnecessary; their late political movements caused them to be viewed with augmented suspicion by the government; and the difference of opinion, both among their leaders and among the bodies themselves, as to the treatment of the Catholics, produced a schism which facilitated the efforts of the government to effect the demolition of the system.

The formation of a committee to devise measures for the relaxation of the penal code has been already noticed; and after the experience of three quarters of a century had demonstrated that the code itself was as inefficient as it was oppressive and revolting, it began to be regarded in its true light by the more liberal Protestants, and its most obnoxious and insulting provisions were consequently abolished. In 1774 an act was passed authorising his Majesty's subjects, of whatever persuasion, to testify their allegiance to him. By subsequent acts Papists were allowed to hold lands for 999 years, or for five lives; their lands were made descendible as those of other subjects; Papists, on taking a prescribed oath of allegiance, might purchase lands and dispose of them by will, or otherwise, at pleasure; Popish ecclesiastics, on registering their name and abode, were discharged

from all penalties; Popish schoolmasters were also released from penalties. But the principal measure of relief was the act of 1793, which, after repealing the laws subjecting Papists, or persons marrying Papists, or educating their children as such, to the disabilities already stated, admitted them to vote at elections for members of parliament.

While the peaceable and legal efforts of the Catholics of the higher orders, under the guidance of their committee, were thus unrivetting link by link the shackles of the penal code, the lower classes were employing more summary and less justifiable methods for relieving themselves from the grievances that more immediately pressed upon them. Their chief causes of complaint were the high rents of land and the exactions of tithe proctors, a body of men who farmed the tithes from the Protestant incumbents at an under price, and remunerated themselves by exacting them with the utmost rigour from the cultivators of the soil. The impost of tithe, from its very nature most unpalatable to the Catholic landholder, was rendered still more unpopular by a resolution of the House of Commons, in 1735, exempting pasture lands from its payment, and which, consequently, made the tax be levied with greater strictness from the petty crops of potatoes and grain which the small farmer was necessitated to raise for the support of his family. The people in the southern and western counties assembled in large bodies, by night, to prevent, by summary acts of outrage, the levy of tithe or the payment of rack-rents. They obtained the name of White-boys from wearing shirts over their clothes, that they might know each other during night. Sanguinary laws were enacted to suppress these associations, notwithstanding which they not only continued, but extended to the northern counties, where the associates were known by the names of Hearts-of-Oak, Hearts-of-Steel, Peep-of-day-Boys, and Defenders.

The efforts of the volunteers to obtain a reform in the representation of the people having been neutralised as already mentioned, the advocates of that measure founded a society called the Whig Club. Their struggles being equally unavailing, ill success stimulated the more violent and sanguine of the party to adopt measures of an unconstitutional nature. For this purpose they formed themselves into a well organised and active society, that of United Irishmen, bound together by oaths, and communicating by secret signs. The society does not appear to have been originally actuated by rebellious motives, whatever may have been the case with some of its leaders, but merely by an ardent wish to obtain a reform in parliament, and the abolition of all disabilities affecting the Catholics. But all attempts to carry these measures by constitutional means having been defeated, the society, despairing of any better success in future, impatient of further delay, and urged on by the example and the agents of France, determined to raise the standard of rebellion, and to establish by force of arms a republic in Ireland. They carried on their projects with so much vigour and secrecy, that they had embodied upwards of 100,000 armed men before the extent of the conspiracy was fully known to government, and had also prevailed upon the republican government of France to fit out a large armament for their aid. The armament, after lying in Bantry Bay for a few days in the winter of 1796, was forced to return home by stress of weather. Disappointed in this hope, and goaded on by the increased severity of government, the United Irishmen broke out into open rebellion in 1798. The insurrection raged most violently in the counties of Wexford, Wicklow, Down, and Antrim; but it was soon put down, though with a great loss of life, the destruction of much property, and the perpetration of many enormities. The suppression of the rebellion led to the Union, long a favourite measure of the British ministry; after which Ireland

appears under a new character, no longer an independent though subordinate kingdom, ruled by the same monarch, and governed by a separate legislature, but as an integral portion of the British empire, taking part, according to an estimated assessment of its population and resources, in the deliberations of the Imperial Parliament.

A principal inducement to the Catholics to accede to the surrender of national independence, was the hope held out to them that their favourite object, the total repeal of the penal laws, would be thus facilitated. They were disappointed. The introduction of the question into the Imperial Parliament caused a change of ministry, and severe measures of legislation were adopted towards Ireland. In 1803 an insurrection broke out in the city of Dublin, which was suppressed, with the loss of a few lives, on the night in which it commenced. A similar attempt in the county of Down had a similar termination. The repeated rejection of the Catholic petition in the Imperial Parliament, before which it was almost annually brought forward, led to a new organisation of the Catholic body in Ireland, under the name of the Catholic Association. The celebrated Daniel O'Connell was the originator and the moving spirit of this newly formed body. Its distinguishing features were, the admission into it of the whole Catholic population, on payment of a penny a month per head under the name of "Catholic rent," — a strict adherence to the letter of the law, however adverse or oppressive, — and a determination to vote at elections against every candidate not pledged to advocate the Catholic question, whatever might be his other claims to popular favour. The association gained ground every year. A counter association was formed by the more intolerant portion of the Protestants, under the name of the Brunswick Club. The portion of the Protestants favourable to Catholic admission formed a third association, under the name of The Friends of Civil and Religious Liberty. The anticipated conflict of three powerful bodies, thus marshalled for and against a question of such intense interest, was prevented by the unexpected, but most judicious, declaration of the Duke of Wellington, then Prime Minister, of the necessity of conceding the Catholic claim. The admission of Catholics into both Houses of Parliament gave an altered tone to these assemblies. The Reform Act rapidly followed that of emancipation; and has been, in its turn, followed by a modification of the church establishment, and of the payment of tithe, — an impost always unpopular with the great majority of the people, from its nature, the manner in which it is levied, and the purpose to which it is applied.

Sect. II. *Constitution of Ireland.*

The constitution of Ireland is, and has been since the English settlement there, identical in principle with that of England, consisting of a legislature composed of the three estates of King, Lords, and Commons, and an executive vested solely in the Crown, and ramifying thence, through every department, from the highest to the lowest judicial and ministerial office. Previously to the English invasion the government of the country was most singular. It consisted of a pentarchy of kings, one of whom claimed a right of paramount sovereignty. This right was acknowledged to rest in two families, one of which usually acquired it from his fellow by the sword. The title of king was held to be hereditary in the family, but elective as to the individual. The nomination of a successor, styled Roidamna, took place during the life-time of the sovereign, whom he not only succeeded after death, but aided in the subordinate functions of royalty during his life. The same arrangement of hereditary descent and elective succession extended itself, not only

to the other members of the pentarchy, but to many of the minor toparchs or chieftains, most of whom arrogated to themselves the title and powers of royalty within their respective territories. The sole distinction as to this point between the supreme monarch and the subordinate kings and toparchs was, that, with respect to the latter, the successor had the title, not of Roidamna, but of Tanist. The judges, styled Brehons, held their courts in the open air, often on hills or in retired recesses, seated on chairs rudely shaped out of the rock. The laws were not wholly traditionary. Among the scanty relics of Irish literature that have survived the ravages of time and war, are several fragments of the Brehon laws, in which the text is invariably illustrated by a copious and minute commentary; thus proving incontestably the record itself to be of a period considerably anterior to that of the existing manuscript, which is also of an antiquity past all means of tracing its origin. The revenues of the crown and the judicial fines were collected in cattle, apparel, and iron from the native Irish, and in wine from the Danes. There exist, also, faint traces of a general assemblage of the great men of the island, somewhat in the nature of a parliament, held triennially, and named from its place of meeting, "the Fez of Tarah." The latest account of its convocation is in the middle of the fifth century, when St. Patrick is said to have taken part in its deliberations. The unsettled state of the country, and the invasions of the Danes, are alleged as the chief causes of its discontinuance.

Henry II., during his short residence in Dublin, introduced the germs of English law, by granting charters to Dublin and the other leading towns which acknowledged his rule. His example was followed more effectually by his son John, who came over during his father's life-time as Lord of Ireland; and who, in a second visit, after his accession to the throne of England, divided the land into counties, increased the number of chartered towns, erected courts of law and equity, and appointed justices, bailiffs, and other subordinate officers, according to the forms recognised in England. These institutions, however, extended solely to the parts of the island subject to the English. The remainder was still held by the Irish kings and dynasts, according to the rules of their native law. These were now considered each as sovereign in his own territory, but tributary to the King of England. Roderic, King of Ireland at the period of the invasion, did homage and swore fealty by his proxies to Henry, a year or two after that monarch's departure; and resigned by deed the sovereignty of certain districts, that he might enjoy the remainder of his dominions in peace. This tenure of subordinate supremacy in the Irish is recognised in the writs emanating from the English crown during this period, which are directed to the archbishops, bishops, kings, earls, &c. Another point deserving of attention in investigating the origin of the Anglo-Irish constitution is, that in all the delegations of royal authority the paramount sovereignty of the English crown is expressly reserved. When John was sent over by Henry II., with powers otherwise unlimited, there was a saving in his patent of the rights which pertain to the crown. A similar grant of delegated authority from Henry III. to his son Edward has also the saving clause, that Ireland be never separated from the crown of England. The recognition of these rights was greatly facilitated by the co-operation of the clergy. A council held at Cashel, in which the Bishop of Lismore presided, as legate from the Pope, decreed a uniformity of religious doctrine and discipline with the church of England, then in communion with the church of Rome.

The precise period at which the parliament of Ireland assumed its character of an assembly of lords spiritual and temporal in one house, and of knights, citizens,

and burgesses in another, still remains uncertain. Sir John Davis says, "that the High Court of Parliament in Ireland was instituted by Edward II., and that the laws made in the parliament of England were transmitted thither under the great seal of England, to be proclaimed, enrolled, and executed as the laws of the realm." Sir John Davis is high authority. But an Irish act of 32 Henry VI. expressly affirms "that the liege people of Ireland used to hold parliaments without interruption from the Conquest by the most noble King Henry of England to the present time." The veracity of this latter assertion is corroborated by a writ of 38 Henry III., issued by the Queen during his absence on the Continent, calling for aid in the war against the King of Castile, who had invaded Gascony. The writ is directed to the archbishops, bishops, abbots, priors, earls, knights, freemen, citizens, and burgesses of Ireland. The earliest extant act of the Irish parliament is of the 3d of Edward II.

The difficulty of investigating the origin and progress of the Irish constitution during these earlier periods is increased by a peculiarity in its organisation. Besides the regularly constituted parliaments, it was usual for the chief governor, in cases of emergency which could not await the customary forms of their meetings, to call special assemblies of the magnates or chief nobles. The decrees of these extraordinary bodies, distinguished by the name of *Magna Concilia*, or great councils, having obtained general acquiescence through the influence of their component members, acquired the force of law, and are not always easily distinguishable from the acts of parliament which had passed through the customary legislative processes during the periods anterior to the existence of regular rolls of parliamentary enactments.

The limitation of the English law to the districts possessed by the English settlers and their descendants, led to that most calamitous system of government, an *imperium in imperio*, from which, as from a root, the whole subsequent disasters of the country may be traced. That the system of English government and jurisprudence, however novel and complicated, was far from being uncongenial to the feelings and wishes of the great body of the Irish people, plainly appears from the fact, that so early as the reign of Edward I. the Irish made an offer to that king of a contribution of 8,000 marks to be admitted to the benefits of the English law. On this proposal having been transmitted to the king's lieutenant, to be laid before his parliament in Ireland, it was rejected by the Anglo-Irish nobility, who conceived that their influence would be weakened and their power contracted by the participation of the Irish in their laws. A second application of the same kind met with a similar fate. In consequence, the spirit of hostility between the two great divisions of the population — the native Irish and the descendants of the English settlers — gradually spread its roots on all sides till their eradication became all but impossible. The English considered the Irish not as strangers merely, but as enemies, admissible to English protection solely by special writ, attainable by large payments, and to which five only of the great Irish families had been specially admitted. The Irish in turn retaliated upon the invaders by desultory aggressions upon life and property, which in the more depressed periods of the English government were warded off, not by force of arms, or by an interchange of friendly legislation, but by the payment of a stipulated annual tribute, known by the name of Black Mail.

The chief governor, who bore the title successively of justiciary, custos or warden, lord lieutenant, and lord justice, was vested with very extensive powers. He could appoint a lord deputy under him during his occasional absence; could convoke,

prorogue, and dissolve parliaments at pleasure, and pass laws, according to the royal style, without any communication with England. His military jurisdiction was equally extended. He could at will summon all the king's subjects to attend him, both in his hostings against revolted subjects or enemies, and in his progresses of a more peaceful nature throughout the country.

Parliaments, according to their original constitution, were held annually. This arrangement, though made imperative by statute at the close of the reign of Edward II., was so little regarded, that there are instances of two or three parliaments within the year; an abuse which struck so deeply, that a subsequent statute passed to correct it, in 34 Henry VI., was limited to three years.

The inefficacy of the parliamentary system, as carried on by the chief governors of the day, to meet the public exigencies, was so severely felt during the disastrous period that followed the invasion of Edward Bruce, when the English power was reduced to a state bordering on annihilation, that the King issued summonses to the prelates, nobles, and representatives of the Irish people, to meet him in his parliament in England. The answer of some of the parties called upon by this writ, shows that the right to an independent local legislature was even then understood and asserted. The clergy of Armagh protested openly against sending members to England, acquiescing, however, in the practice on the present occasion, "through their reverence for the King and the necessity of the times." The people of Carlow, not venturing upon an open protest, pleaded poverty in excuse of their non-obedience of the royal ordinance.

A measure adopted by the English government in Ireland, in the commencement of the reign of Edward III., though, strictly speaking, not within the scope of a history of the constitution, must be noticed, in consequence of the effects it produced. It originated in an order that all public officers, whose property existed wholly in Ireland, should be removed, and their places supplied by others, born in England and possessed of property there. This unjust and impolitic regulation gave rise to a new distinction among the settlers themselves—that of English by blood and English by birth. Its immediate effect was the assembling of a parliament of the discontented sufferers at Kilkenny, in opposition to the Lord Lieutenant's parliament convoked at Dublin. To close this schism the King sent over his son, Lionel, Duke of Clarence. His first act widened the breach. Surrounded on his arrival by followers of English birth, he issued a proclamation to prohibit any of the old English, or of the King's subjects of Irish birth, from approaching his camp. After a short and disastrous stay he was recalled. On his return, a few years after, he relinquished the fatal prejudice against the larger class of English subjects; but, in a parliament held at Kilkenny, he effected the enactment of a statute equally, if not more, prejudicial to the general welfare of the country. It is known by the title of the Statute of Kilkenny. After a declaratory clause against differences being maintained between English born in Ireland and those born in England, it proceeds, among a number of other provisions, irrelevant to the present subject, to enact that marriage or fostering with the Irish, furnishing them with victuals in time of war, or with horses or armour at any time, should be held to be treason. It forbids Irish names, language, apparel, or modes of riding to be used by the English, or the Irish language to be spoken by the Irish resident among the English. It declares the Irish, of Irish lineage, not to be admissible to any cathedral, nor to any ecclesiastical benefice among the English, nor to profession in religious houses there, and prohibits Irish agents, under the names of "pipers, bablers, rhymers," &c. to be received among them.

This statute completely severed any remaining links of mutual amity between the English and Irish. It declared expressly that the latter were irreclaimable. From this period the English power began rapidly to decline. Its scope was limited to a few counties, and the proceedings of the parliament representing so small a fractional part of the island were nugatory. At this time, though Dublin was the more usual place for legislative assemblies, they were frequently held elsewhere. There were numerous sessions at Drogheda. Trim, Kilkenny, and Castledermot were also places for those meetings. The public records notice a sessions at the petty town of Bray. In the beginning of the reign of Henry VII., so boldly did parliament arrogate to itself a total independence, that it declared the impostor, Lambert Simnel, King of Ireland, by the title of Edward VI., and enacted severe laws against those who refused to recognise his right. Henry, to prevent the recurrence of such a circumstance, sent over Sir Edward Poynings as Lord Deputy, accompanied by several English officers of acknowledged ability. Through his influence two statutes were passed which totally changed the character of the Irish parliament. The one was for the adoption of all the statutes lately made in England; a law not novel in its provisions, and confirming rather than trenching on the rights of the Irish legislature, by virtually recognising the necessity of the ratification of an English statute by it in order to give it the force of law. The other, since exclusively called Poynings' law, by way of eminence, enacted that no parliament should be held in Ireland until the reasons for holding it and the statutes to be proposed in it were approved of by the privy council in England. This law not only lopped off the hitherto exorbitant powers of the chief governor, but almost annihilated the constitution, by rendering parliament little more than an office for the registry of such laws as the king had previously sanctioned. Its interpretation was attended with almost insurmountable difficulties. If acted upon in the strictness of the letter, it precluded any useful legislation. Parliament is summoned to advise the king as to measures for the general weal: yet, by this law, it could originate nothing, and could discuss only what had been predetermined on before its convocation. To obviate these difficulties different interpretations were given to Poynings' act. Some contended that those measures only should be treated of which had been certified to the king, and sent back with his approbation, before the meeting of parliament. Others maintained that, subsequently to such meeting, any matters might be treated of which that assembly deemed advisable. So unsettled was the state of opinion on the subject, that the commissions of Henry VIII. for holding parliaments furnish precedents conformable to both positions; and, what is still more remarkable, the same reign gives an instance of one suspension of Poynings' law by the mere authority of the king, and of another by the parliament without any previous royal licence. To remedy those inconveniencies an explanatory act of Philip and Mary empowered the chief governor and his council to certify over to the king, during the sitting of parliament, such further measures as they deemed useful. But the same act denied parliament the liberty it sometimes assumed of treating of matters which had not been previously certified and transmitted either before or during the session.

Henry VIII. assumed the new titles of King of Ireland and Supreme Head of the Church. The former was received with immediate aequiescence, the latter was for some time obstinately resisted; but, at length, it also was acknowledged, chiefly through the policy of relaxing the rigour of the statute of Kilkenny; in consequence of which the principal chieftains, who had hitherto disclaimed any subjection, returned to their tributary state, and accepted pensions in lieu of black mail. The chief of those refractory lords was the Earl of Desmond, who, though at first he insisted on retaining

the privilege enjoyed by his ancestors of not entering any walled town out of his own jurisdiction, at length became a liege subject, and attended his duty as a lord of parliament.

From this period the number of peers and commoners gradually increased in proportion to the extension of the royal authority. But the chief change as to numbers and influence in the lower house was effected by James I., who, in his settlement of Ulster, established a number of boroughs authorised to send representatives to parliament; those representatives, however, from the partial and limited mode of their election, were virtually the nominees of the proprietor, over whom the Crown could usually exercise, either directly or indirectly, an overpowering influence. The parliament convoked in 1613 is generally considered as the first in which the whole of Ireland was represented. What had been previously dignified by this name, was, in reality, the parliament of the *Pale*, a colonial assembly, composed of the lords and commons of little more than four counties. That now convened consisted of 232 members, at the rate of two for each of the thirty-two counties, the remainder being for cities, towns, and boroughs. Its first meeting opened with a contest between the Protestant and Catholic parties, which terminated in a manner altogether ludicrous. The object was the election of a speaker. The Protestant party had the majority, and placed their candidate in the speaker's chair; the other accused them of foul play, insisted that they had the legal majority, and when the speaker of their opponents refused to vacate his seat, they placed the object of their choice in his lap, and thus proceeded to pass resolutions. This disgraceful scene terminated by the secession of the minority. During this reign the commons endeavoured to modify the operation of Poynings' law, by claiming the right of being remembrancers to the privy council of such laws as were fit to be propounded; and after the fall of Strafford they asserted and established the right of preparing heads of bills to be presented to the chief governor and council for transmission to England.

The mode of passing laws, from this time till 1782, was as follows: — The subject was brought in, by permission, into either house in the form of heads of a bill, under which name it was moved for, introduced, and discussed. If approved of, it was sent up to the chief governor and privy council, who either certified it to England, without or with alteration, or suppressed it. If, when sent, it was returned, or, as it was styled, transmitted without alteration, then it passed in the shape of a bill through the house in which it had originated, was forwarded to the other house, and, if approved of there, it passed into a law by receiving the royal assent from the throne by the Lord Lieutenant. But if the bill was sent back from England altered, it was usual either to reject it altogether or to frame anew the heads of a bill in compliance with such alterations, and to transmit them as above.

Cromwell, during his protectorate, revived the attempt made by Edward III., to have Ireland represented in the English parliament. The number of members to be sent over was fixed at a hundred; but the project was not carried into execution.

James II., after his abdication, held a parliament in Ireland, which passed a number of laws; some for the reversal of attainders in the two preceding reigns, others for purposes of universally acknowledged public utility. These were all cancelled by William's parliament after the Revolution; and the enrolments of the grants of dignities, offices, and lands made under acts of James's government were erased from the records.

The constitution of Ireland, after the Restoration, is marked by two peculiar characteristics. The members of the House of Commons held their seats, not by septennial

election, as in Great Britain, but during the pleasure of the Crown. Their tenure was, therefore, regarded as tantamount to a life estate, subject only to a dissolution on the king's demise. Hence they were virtually unrestrained by any check of popular control. The Lord Lieutenant visited Ireland but once in two years to hold a parliament and pass the supplies. The government of the country, in the interval, was intrusted to three lords justices, one of whom was either the lord chancellor or primate, both of which offices were always given exclusively to Englishmen for the purpose of maintaining what was called the English interest; the other two were selected from among the most powerful of the great Protestant families. The influence of these latter was often directed to thwart the measures of the British Cabinet, in questions wherein the interests of the two countries were supposed to be at variance, particularly when such measures interfered with their own aggrandisement. The question of the right of the British legislature to control that of Ireland was one of those mooted points, and gave rise to a very learned and spirited essay by Mr. Molyneux, to prove that the parliament of England had no right to make laws to bind the king and people of Ireland. The English commons took fire at what they deemed an attack upon their privileges. In an address to the King they protested against a doctrine fraught with such alarming consequences, and ordered the book to be burned by the common hangman. The question thus set at rest for the moment, was revived a few years after. The English House of Lords assumed to itself the right of reversing a judicial decree made by that of Ireland. Its decision was stubbornly resisted. The dispute was cut short for the time by an act of the English parliament, declaring that it had full power and authority to bind the people of Ireland, and further asserting that the peers of Ireland had no jurisdiction to affirm or reverse any judgment or decree whatsoever. The Irish commons, by their silence, appeared to acquiesce in this declaration. The peers asserted their right of appellate jurisdiction in an address to the King, but no notice was taken of it. It is a singular fact, that, while this contest was at its height, the English parliament exercised the right without dispute and almost without notice, and that, too, on a point vitally effecting the interests of Ireland. Catholics had sat in parliament during the reign of Charles II. The Revolution made no change in the law in this respect. Their right still continued unimpaired. An English act of the 3d of William and Mary required all the members of both houses to take the oath of supremacy. The act, according to the Irish ideas of constitutional independence, was not binding in Ireland, yet the commons passed over without notice this infringement on their prerogative. The Catholics submitted passively to it, and under warrant of this dubious and, in other cases, disputed authority, they acquiesced in their own exclusion, during a period of upwards of eighty years, or until all doubt was removed by the Irish act of the 21st and 22d George III., by which they were excluded in express terms.

The Irish government was at this time nearly independent of parliament. A statute of Charles II. had settled an hereditary revenue on the crown. This was in effect, so far as its powers extended, a perpetual money bill. The supplies required for extraordinary purposes were granted biennially at the assembling of parliament. The government, desirous of freeing itself from this check, brought in a bill for granting the supplies for twenty-one years. A desperate struggle took place on the question between the partisans of government, and those members of the House of Commons who wished to retain their own influence by the right of withholding the supplies at pleasure. The latter party triumphed. On a division the appropriation bill was thrown out by a majority of ONE.

Another source of dispute between the Government and the House of Commons emanated from the same source. A surplus revenue, to a small amount, arising from the biennial supplies, remained in the exchequer. The English council insisted on the King's right to dispose of it at pleasure. The commons equally insisted on their absolute control over the public purse. The former body endeavoured to steer a middle course. A message was sent from the King, signifying his previous consent that the monies in question should be applied to certain public purposes. The commons protested against this right of previous consent, and rejected the bill containing the obnoxious expressions. The English council cut the matter short. The monies in dispute were drawn out of the exchequer by the King's letter, and the commons again acquiesced in silence.

The situation of the English government in Ireland at this time was extremely irksome and invidious. In order to carry on the King's business smoothly, it was necessary to conciliate the great landed proprietors, who, in consequence of the preponderancy of the members of close boroughs over those of counties and open corporations, were virtually masters of the House of Commons. The party which thus ruled the country, by playing the British government and the Irish people against each other, was known by the name of the Undertakers. It had a double object; the one, to make the Crown dependent on itself, as far as Ireland was concerned; the other, to check the spirit of liberty in the people, and at the same time to throw upon the government the odium of measures of which it was really the instigator. The extent and mischievous application of its powers may be inferred from the following circumstance. The change from tillage to pasture diminished, to an alarming degree, the revenue of the established clergy arising from the tithe of grain. The incumbents, to indemnify themselves, insisted on their right to the tithe of dry cattle, technically called the tithe of agistment. The law was on their side; but on proceeding to enforce their claim in the courts of justice, the great landed proprietors, who foresaw that their pecuniary interests would be deeply affected by the legal decision, procured a vote of the House of Commons, in 1735, declaring any person who brought forward or supported proceedings in the courts of law for recovering the tithe of agistment an enemy of his country. The denunciation, in a constitutional point of view, was as futile as it was unjust; but, such was the weight of the influence directed against the measure, that pasture lands remained free from any demand for tithe until the Union, when the vote was made law by a special statute. To break down this petty aristocracy, the British Cabinet, in the early part of the reign of George III., resolved that the Lord Lieutenant should reside permanently in Dublin; thus superseding the intermediate agency of the lords justices, and so far neutralizing the influence of the party out of which they had been selected. It also changed the duration of parliament; making it, instead of perpetual during the King's life, octennial, so as to allow the holding of four biennial sessions during its continuance. These new arrangements threw a great addition of weight into the hands of the popular party in parliament. The Undertakers, shorn of much of their influence by being deprived of the distribution of places and pensions, now exclusively at the disposal of the Lord Lieutenant, felt themselves still more forcibly obliged to court public opinion, in consequence of the increased frequency of general elections.

The first effect of the change was a universal call for free trade, — for a repeal of the unjust and impolitic restrictions upon manufacturing industry and commercial speculation, which had hitherto paralysed the energies of the country. Their repeal was conceded. Success on this point led to a second call for a disclaimer on the part

of England of its right to make laws to bind Ireland. This was also acceded to, at first, by a repeal of the act of 6 George I., in which it had been openly and authoritatively asserted, and subsequently, to remove all scruples on the part of the Irish commons, which being backed by an army of volunteers, carried matters with a high hand, by a positive renunciation expressed in the act of the 23d George III., which declared, "that the right claimed by the people of Ireland to be bound only by laws enacted by the Irish parliament, and to have all actions and suits at law and in equity which should be instituted in that kingdom finally decided by the courts of judicature there, and without appeal from thence, is established and ascertained for ever, and is at no time hereafter to be questioned." This arrangement, which took place in 1782, went by the name of the final adjustment. Acts were passed at the same time to prevent the suppression of bills by the Irish privy council in their progress to England, and their alteration anywhere; also to limit the powers of the Mutiny Bill to two years.

According to these new regulations, the mode of passing bills was as follows: — The chief governor and council certified to the King, without addition, diminution, or alteration, all such bills, and none others, as both houses judged expedient to be enacted. All bills so certified and returned under the great seal of England, without addition, diminution, or alteration, and none other, were to pass in the Irish parliament. No bill was to be certified into England as a cause for holding a parliament, but no parliament was to be holden without licence first had from the King under the great seal of England. Success in the attainment of these vital points led, as already stated, to a demand from the people in general, through the agency of the volunteers, for a reform in the Commons' House of Parliament, in which, through the predominance of borough interest, the influence of the Crown, supported by the great landed proprietors, was paramount. The call was rejected on the plea of its having been introduced by an armed body.

The final adjustment did not produce the expected effect of setting to rest all differences as to subjects of international policy. The mental derangement of George III., in 1789, led to a question of momentous constitutional importance. It was deemed necessary to appoint a regency. The Prince of Wales, the heir-apparent to the throne, was chosen Regent by the British parliament, but with restrictions. The Irish parliament offered him the regency with all the powers of a ruling monarch. Had the King's illness continued, the Prince would have held the reins of government in each kingdom according to a different tenure. The temporary restoration of the sovereign's health silenced a question, of which the Union prevented the revival. The same year which had been marked by the concessions to popular influence now noticed, was marked also by the passing of an act extending to Ireland the provisions of that of the 3d of William and Mary respecting Roman Catholics. They had been excluded *de facto* from sitting in parliament by their voluntary submission to that statute, but not *de jure* until the passing of this latter act, which made the former legally binding. In 1793 this new measure of restriction was repealed. The admission of Roman Catholics to the exercise of the elective franchise, a right rejected by an overwhelming majority the year before, and now granted almost without a division, made another vital change in the Irish constitution. The concluding chapter of the history of the kingdom of Ireland followed close upon the adoption of this measure. In 1799, a legislative union, incorporating the parliaments of the two great insular divisions of the British empire, became, after a tremendous parliamentary struggle, the law of the land.

The leading provisions of this act are: — 1. The permanent union of the two

kingdoms into one, under the title of the United Kingdom of Great Britain and Ireland. 2. The succession to the throne to continue limited as before. 3. The kingdom to be represented in one parliament, to be styled the Parliament of the United Kingdom of Great Britain and Ireland. 4. Twenty-eight temporal peers, elected for life, and four spiritual peers, succeeding each other in a rotation of sessions, to be admitted into the House of Lords; and one hundred representatives, two for each county, two for each of the cities of Dublin and Cork, one for Dublin University, and one for each of thirty-one towns and boroughs, to be elected into the lower house. 5. The churches of England and Ireland to be united under the name of the United Church of Great Britain and Ireland; the doctrine, worship, and discipline of which to be the same as that established for the church of England. 6. The subjects of both countries to be placed on the same footing as to manufactures, trade, and commerce. 7. The contribution of each portion of the empire towards the general expenditure to be in the proportion of fifteen to two between Great Britain and Ireland for twenty years; and afterwards to be regulated by parliament. 8. The existing laws and courts of justice to continue as heretofore, except that appeals from the Irish Chancery are to be brought into the House of Lords in England. The royal style was, consequently, changed to that of King of the United Kingdom of Great Britain and Ireland. The act took effect on the first day of the present century.

Two great constitutional changes have taken place since the Union: one occasioned by the act for removing all the disabilities under which the Roman Catholics laboured, and the other by that for the reform of the Commons' House of Parliament.

The former of these statutes enacts that Roman Catholics may vote at elections of members of parliament for England and Ireland, and for the representative peers of Scotland and Ireland; and may sit in parliament, if duly qualified in other respects, on taking an oath prescribed by the act, by which they promise to maintain the succession to the throne as then limited — abjure allegiance to any other person claiming a right to the crown — renounce the doctrine of the Pope's power to depose excommunicated sovereigns, and of his temporal jurisdiction within the British realm. By this oath they also swear that they will defend the settlement of property as established by law, — abjure any intention to subvert the present church establishment, and pledge themselves not to exercise any privilege, acquired by the act, to disturb or weaken the Protestant religion or Protestant government in the united kingdom. Roman Catholics may hold any civil or military office, except those of guardian and justice, or Regent of the United Kingdom, Lord Chancellor of Great Britain or Ireland, Lord Lieutenant of Ireland, or High Commissioner to the General Assembly of the Church of Scotland, or any office in the established churches of England, Ireland, or Scotland, in any ecclesiastical court, in any cathedral or collegiate foundation, or in any of the universities. No Roman Catholic in holy orders is suffered to sit in parliament. Any Roman Catholic, assuming the title of an archbishop, bishop, or dean of a diocese in England or Ireland, to forfeit 100*l*. The act contains many other clauses respecting Roman Catholic ecclesiastics, but not connected directly with the constitution. Together with the act here noticed, another, vitally affecting the rights of electors, was passed, which repealed the act qualifying forty-shilling electors to vote for members in counties in Ireland, and limiting the right of voting to persons having freeholds of not less than 10*l*. yearly value. By the operation of this latter act, the number of electors in counties, which had previously amounted to 216,000, was reduced to less than 40,000.

The act for amending the representation of the people of Ireland confers the right of voting in counties on persons holding lands of the clear yearly value of not less than 10*l.* by freehold or any other tenure, for the unexpired residue of any term originally created for not less than sixty years, and of lands of the yearly value of not less than 20*l.* for not less than fourteen years; renewals or new leases at the same rent, and for a term not less than that originally granted, to be deemed a continuance of qualification. The right of voting is also extended to copyholders. The right of voting in cities and towns is vested in freeholders, having a beneficial interest of the clear yearly value of 10*l.*, and such lessees and assignees as might vote for the county, and occupiers as tenants or owners of any house or tenement of the value of 10*l.*, if duly registered, and having been occupiers at least six months previous to registry, and having discharged all grand jury and municipal cesses above one half year's amount of such cesses. In boroughs it is vested, as in the English act, in the occupiers of houses or tenements of not less than 10*l.* yearly value, on the condition of twelve months' previous occupation, residence within seven miles, and payment of all the assessed taxes. Freemen are permitted to vote only so long as they are resident within seven miles of the usual place of election; honorary freemen are disqualified. New boundary lines are prescribed by a subsequent act for all boroughs entitled to return members, which right is continued as in the Act of Union, with the exception of the cities of Limerick and Waterford, the borough of Belfast, the town of Galway, and the University of Dublin, each of which is to return one member in addition to the member it returned since the Union. The right of voting in the University, hitherto confined to the Provost, twenty-five fellows, and seventy scholars, is extended to all who have taken the degree of master of arts, or any higher degree, and to all who have at any time been fellows or scholars, such new electors being required to have their names entered on the college books for this special purpose, and to pay an annual sum of one pound for retaining them there. This new arrangement has increased the number of electors to upwards of 1,300. The principal alterations in the number of representatives for Ireland, both in the Irish and Imperial Parliament, are as follows: — In the time of Henry VIII., the number of members in the House of Commons was but 100; in that of Philip and Mary, 104; in that of Elizabeth, 146; of James I., 232; of Charles II., 285; of James II., 298; of Anne, and thence to the Union, 300; in the Imperial Parliament, from the Union to the Reform Act, 100; and since the Reform Act, 105.

The executive is vested in the Lord Lieutenant, who holds office during pleasure, but is generally continued for five years. The extraordinary powers, trenching on the prerogative of royalty, which he formerly exercised, have been gradually lopped off, so that he is now little more than the organ for executing the ordinances of the British cabinet. He still, however, maintains an establishment of regal character, holds a court, is attended by officers of the household, for the support of which he receives a fixed annual salary of 20,000*l.*, two splendid residences, and several minor emoluments, among which the payment of his household by the Crown is by no means trifling. He is aided in the discharge of his official duties by a privy council, composed of all the great judicial functionaries, and other noblemen and gentlemen, nominated by the Crown. The approbation of this body is essential to give validity to many of the Lord Lieutenant's acts. During his absence, or on his demise, his place is filled by three Lords Justices, who are generally the Lord Chancellor, the Archbishop of Armagh, and the Commander of the Forces. But the government of the country is in reality exercised by the Lord Lieutenant's chief secretary, who is usually

a member of the cabinet, and has an establishment of under-secretaries and clerks, in London and Dublin, to execute the details of his office. The charge of each county is given to a lord lieutenant, aided by a number of deputy lieutenants, all named by the chief governor, and acting gratuitously. Their recommendation has much weight in the appointment of the county magistracy, though the actual nomination of magistrates be vested in the Lord Chancellor, who has also the power of superseding them. They act without salary. Latterly a class of paid magistrates, called stipendiaries, has been established, appointed ostensibly to aid the other class, but who, in reality, perform the greater part of the executive duties, and are looked to by the government as more especially responsible for the preservation of the public peace. Their orders are carried into execution by a constabulary of between five and six thousand men, classed in three divisions of high constables, constables, and sub-constables. Cities and corporate towns have an executive of their own nomination, varying in name and powers according to the special provisions of their respective charters; but these, it is probable, will, at no distant period, be either materially modified or entirely set aside.

Sect. III. *Courts of Justice.*

The system of judicature in Ireland rests on the same principles as that of England, whence it was introduced by King John when Lord of Ireland. He established the Courts of Chancery, King's Bench, and Exchequer, and caused circuits to be made by justices itinerant through all the parts of the island that acknowledged the authority of the King of England.

The *Court of Chancery* has the same jurisdiction and power as that of England; the Lord Chancellor ranks next to the Lord Lieutenant, except within the city of Dublin, where the Lord Mayor takes precedence of him. He is assisted in the discharge of his judicial functions by the Master of the Rolls. This latter office was for a long period nearly a sinecure, the only duty attached to it being the custody of the principal records of the court, which was executed by his deputy; but at the Union, the presence of the Irish Chancellor in the Imperial Parliament being deemed necessary, the Master of the Rolls was vested with judicial powers, subordinate to those of the Chancellor. The salary of the former of these functionaries was fixed at 10,000*l.*, but has been reduced by the late political arrangements to 8,000*l.*; that of the latter continues at the rate fixed in 1815, 4,500*l.* per annum. The Chancellor holds office during pleasure; the Master of the Rolls during good behaviour. The other principal subordinate officers of the court are, the chancellor's secretary, four masters, who investigate the details of judicial proceedings and report thereon; and six clerks, through whom all suits must be brought before the court. By an act of the Imperial Parliament, the six clerks are allowed to sell their offices; and the same custom was *until lately* permitted with respect to the masters. In 1815, an act was passed empowering the Lord Chancellor to appoint extraordinary commissioners to examine witnesses, and take answers and affidavits in England and Scotland respecting suits in the Irish Chancery; the like powers were vested by the same act in the Exchequer as to suits in equity there. The proceedings in each court have been considerably facilitated by this arrangement. Previously to the Union, the Irish House of Lords was the court of final appellate jurisdiction from the Court of Chancery and the Court of Equity in the Exchequer. This right, after having been claimed by the British House of Lords, was vested ultimately in that of Ireland by acts of both parliaments. At the Union, the right of final appeal was transferred to the House of Lords in the Imperial Parliament.

The Courts of *King's Bench, Common Pleas,* and *Exchequer* are regulated, both in principle and in practice, as in England. Each is under the direction of a chief justice and three inferior justices styled puisne judges. All of them hold their offices during good behaviour, are removable only by an address to the King from parliament, and on resigning in consequence of age or infirmity are entitled to liberal salaries during life. For trial of law records and criminal cases the country is divided into six circuits, through each of which two of the judges of the law courts proceed twice a year, during Lent and at Midsummer. In cases of illness or unavoidable absence, their places are supplied on circuit by one of the King's law officers, the attorney-general, the solicitor-general, and three serjeants.

Besides these courts of general jurisdiction, the Lord Lieutenant and privy council used to sit as a court of justice in extraordinary cases, deemed to be beyond the powers of the ordinary courts of equity and law. From having been held in Dublin Castle, this court took the name of the Court of the Castle Chamber; but it was also frequently called the Court of the Star Chamber, from the identity of its objects, principles, and forms with the English court of that name. It was abolished at the Restoration; but the privy council still sits as a court of appeal, chiefly in ecclesiastical affairs: the Lord Lieutenant nominally, and sometimes personally, presides in it; but the judiciary powers are virtually exercised by the Chancellor, the Master of the Rolls, the heads of the other courts of justice, and such of the King's law officers as are privy councillors. At present, the court consists of what is called the law committee of the council, which, after hearing the case, pronounces judgment in the form of a report to the body at large, which report is always adopted, and thus becomes law.

The other courts sitting in Dublin are, the Prerogative Court, for the trial of ecclesiastical causes; the Court of Admiralty, for offences and suits of debt and damage on the high seas; the Court of Bankruptcy, which is held by commissioners appointed by the Lord Lieutenant; and the Court of Insolvents. This court, constituted in 1821, for the relief of insolvent debtors, is presided over by two commissioners, who, besides their fixed court in Dublin, make circuits through the several counties, one commissioner visiting those in the northern provinces, and the other those in the southern. They are appointed by the Lord Lieutenant.

In order to diminish the expenses and delays attendant on the usual modes of proceeding in the superior courts of law, an act was passed in the reign of William III. for deciding cases of small debts by a summary process, called civil bill. The act, at first, was so inoperative as to be declared obsolete in the beginning of the reign of Anne, when it was revived; and it was further regulated by an act of 2 Geo. I. But the most important step towards removing the impediments to the attainment of justice by the great body of the people, both in criminal and civil cases, was the appointment of county courts of general session, for which purpose every county is divided into two districts, in each of which general sessions of the peace are held four times in the year by the resident magistrates, who are aided in their deliberations by an assistant barrister. The qualifications for this latter officer are, that he must be a practising barrister, and of six years' standing. He is ineligible to sit in parliament, and by a recent arrangement is prohibited from practising in the county in which he acts in a judicial capacity. By another late arrangement, magistrates are required to hold courts of petty sessions for the investigation of minor criminal offences, which they had previously been in the habit of deciding in private. The effects of both these changes have been satisfactory.

Every chartered city, town, and borough enjoys the right of holding courts under

its own magistrates for the trial of criminal offences, and of civil actions. The nature and extent of the jurisdiction of these courts varies according to the terms of the charter. In some places it is very extensive, embracing cases of felony and of civil action to a large amount; but, according to the practice now universally acquiesced in, processes of a graver nature are referred to the King's judges during circuit.

Every manor, of which the number is very considerable, is entitled to hold courts of record, as in cities and towns, but generally to a very limited extent. The presiding officer is the seneschal, appointed by the lord of the manor. The manor of St. Sepulchre's, of which the Archbishop of Dublin for the time being is lord, claims the right under its charter of inflicting capital punishment; but this right has never been exercised, at least in modern times.

CHAPTER VIII. — Religious Establishments of Great Britain and Ireland.

Sect. I. *Constitution and Government of the Church of England.*

The established Church of England is Protestant Episcopal. Its fundamental doctrines and tenets are embodied in the Thirty-nine Articles, agreed upon in convocation in 1562, and revised and finally settled in 1571. These articles are said to have been chiefly compiled from others drawn up shortly after the Reformation in 1552, in the reign of Edward VI., and which had been repealed under Mary. But though this be the state religion, all others are tolerated under certain restrictions; and civil disabilities can hardly now be said to attach to any class of his Majesty's Christian subjects. The oaths, however, that must be taken before persons are qualified to hold the higher civil and military offices, exclude from them Jews and infidels. The oaths in question are those of allegiance and supremacy, imposed by the 1 Geo. 2. c.13., and of abjuration, imposed by the 6 Geo. 3. c. 53. In the case of Quakers and Moravians, declarations to the same effect are substituted. It was formerly necessary for all persons elected to any office to take, within a specified time, the sacrament according to the forms prescribed by the Church of England; but this obligation was rendered unnecessary by the 9 Geo. 4. c. 17., and a declaration substituted in its stead.

The Roman Catholic Relief Act, 10 Geo. 4. c. 7., abolished the declaration against transubstantiation, the invocation of saints, and the sacrifice of the mass, as practised by the Church of Rome; enacting that Roman Catholics, on taking an oath, the form of which is prescribed in the act, in lieu of the oaths of allegiance, supremacy, and abjuration, may sit in Parliament, and be admitted to all offices, civil as well as military, excepting those of Regent of the United Kingdom, Lord Chancellor, Lord Keeper, Lord Commissioner of the Great Seal, Lord Lieutenant of Ireland, and his Majesty's High Commissioner to the General Assembly of the Church of Scotland. Roman Catholics are not, however, allowed to hold any church office, nor, if members of a corporation, to vote in church appointments. They are prohibited also from advising the Crown in the disposal of church preferment; and the

livings in their possession are disposed of by the Archbishop of Canterbury and the Universities. Neither is any Catholic to use the style or title of archbishop of any province, bishop of any bishopric, or dean of any deanery, in England or Ireland, under a penalty of 100*l*. The only class of Christians at present proscribed on account of religious opinions are the Jesuits, and members of religious orders bound by monastic or religious vows. The statute 10 Geo. 4. c. 7. enacts, that it is a misdemeanour for such persons, unless they be natural born subjects, to come into the kingdom; and that they shall be banished the realm for life. If natural born subjects, they must give notice to the competent authorities, who are authorised to allow them to remain six months. A member of any monastic or religious order, administering or aiding in administering religious vows, is guilty of a misdemeanour: an express exception is, however, made in favour of members of female religious societies. The act 1 W. & M. sess. 1. c. 18., usually called the Toleration Act, amended by the 52 Geo. 3. c. 155., orders, that the places of worship of Protestant Dissenters must, before they can be used as such, be registered in the bishop's or archdeacon's court of the diocese or archdeaconry, and recorded by the clerk of the peace, at the general or quarter sessions held for the county or district in which they are situated. The doors of such places of worship are not to be locked or bolted during divine service, under a penalty of not less than 40*s*., and not more than 20*l*. The Toleration Act also requires certain oaths or declarations to be taken by all ministers or preachers before officiating in any chapels, under a penalty of not less than 20*s*. nor more than 10*l*. It is further enacted, that no person holding any judicial or civil office, nor any corporate officer, shall attend such meetings in the habit or with the insignia of his office. A compliance with these regulations exempts the parties from certain penalties imposed by some old acts passed in the reign of Elizabeth and Charles, which made it necessary that every one should attend divine service in the established church, and prohibited meetings of Dissenters altogether. Dissenting ministers taking the oaths are also exempted from serving in certain parish offices, and from being ballotted for the militia; and their places of worship are protected from disturbance. The places of worship belonging to the Jews do not appear to be recognised by the laws.

The administration of the state religion is intrusted to the clergy; a class set apart for this purpose, and who constitute what is meant by the Church of England.

In consequence of their sacred duties, the clergy enjoy many immunities. They cannot be compelled to serve on a jury, nor to appear at a court leet or view of frank pledge. Neither can they be chosen to any temporal office, as overseer of the poor, bailiff, reeve, constable, or the like. During their attendance on divine service, they are also privileged from arrest in civil suits. But as they have their privileges, so also they have their disabilities. Clergymen are incapable of sitting in the House of Commons; and the 57 Geo. 3. c. 99. disables them, without the bishop's license, from taking a greater quantity of land than eighty acres to farm, under a penalty of 40*s*. per annum for every acre so held. Neither can they engage in any manner of

trade, or sell any merchandise, under forfeiture of the value of the goods; every contract made in the course of such dealing being declared to be void.

The clergy may be considered in two characters:—1. in regard to their sacred duties as ministers of religion; and, 2. as members of an establishment of human institution, deriving its rights and privileges from municipal law. In the former capacity, they are divided into three orders and degrees, bishops, priests, and deacons, in imitation of the Επισκοποι, Πρεσβυτεροι, and Διακονοι, mentioned in the New Testament. In the latter they consist of archbishops, bishops, archdeacons, deans, parsons, and curates.

I. The consecration of bishops, and the ordination of priests and deacons, are religious ceremonies. The first will be mentioned when we come to speak of bishops, as members of the church establishment. The ordination of priests and deacons is performed by a bishop, or archbishop, in the cathedral or church of the parish wherein he resides. The forms of service used on these occasions are given in the Book of Common Prayer, as established by the Act of Uniformity, 13 and 14 Car. 2. No person can be admitted to deacon's orders until he be twenty-three years of age, nor to priest's until he be twenty-four. By a faculty or dispensation, however, obtained from the Archbishop of Canterbury, a person may be admitted deacon before he attains the age of twenty-three; but the rule with regard to the age necessary for priest's orders is inflexible. It is enacted by the 44 Geo. 3. c. 43., that "none shall be made minister unless it appear to the bishop that he is of honest life, and possesseth the doctrine contained in the Thirty-nine Articles, nor unless he be able to answer and render to the ordinary an account of his faith in Latin, according to the said Articles, or have special gift or ability to be a preacher." The ordinary way in which his qualifications as to character and doctrine are made to appear to the bishop, is by a written testimonial; concerning which, it is directed by canon 34*, with respect to both priest's and deacon's orders, that "no bishop shall admit any person into sacred orders, except he shall then exhibit letters testimonial of his good life and conversation, under the seal of some college of Cambridge or Oxford, where before he remained, or of three or four grave ministers, together with the subscription and testimony of other credible persons, who have known his life and behaviour for the space of three years next before." The statute 13 Eliz. also requires, with respect to priest's orders in particular, that "none shall be made minister unless he first bring to the bishop of that diocese, from men known to the bishop to be of sound religion, a testimonial both of his honest life and of his professing the doctrine expressed in the Thirty-nine Articles." It is quite discretionary with the bishop who he admits; nor

* The canons, to which we shall often have occasion to refer, were a series of ordinances made for the regulation of the church by the Archbishop and clergy of the province of Canterbury, convened in convocation, 1603, and which were subsequently ratified by the King. They were also received and passed, about two years after, by the province of York. Not having the force of an act of parliament, they are binding on the clergy only.

is he obliged to give any reason for his refusal. Hence the qualifications required sometimes differ, though never materially. If any bishop, however, or suffragan, admit any one to holy orders who is not properly examined and qualified, the archbishop of his province having notice of it, and being assisted by one bishop, "may suspend the bishop or suffragan so offending from making either priests or deacons for two years." By another canon (33.), it is also provided, that "no person shall be admitted into holy orders except he shall exhibit to the bishop, of whom he desires imposition of hands, a presentation of himself to some ecclesiastical preferment then void in the diocese, or shall bring to the said bishop a true and undoubted certificate, that either he is provided of some church within the said diocese, where he may attend the cure of souls, or of some minister's place vacant, either in the cathedral church of that diocese, or in some other collegiate church therein, where he may execute his ministry; or that he is a fellow, or in right as a fellow, or to be a conduct or chaplain in some college in Cambridge or Oxford; or except he be a Master of Arts of five years' standing, that lives at his own charge, in either of the Universities; or except by the bishop himself, that doth ordain him minister, he be shortly after to be admitted either to some benefice or curateship then void: and if any bishop shall admit any person into the ministry that hath none of these titles, then he shall keep and maintain him with all things necessary till he do prefer him to some ecclesiastical living; and if the said bishop shall refuse to do so, he shall be suspended by the archbishop, being assisted by another bishop, from giving orders for the space of a year." The method of examination is laid down by the canons; viz., that when the bishop intends to hold an ordination, all who are desirous to be admitted into the ministry are to appear on the fourth day before the ordination; and there the bishop is to appoint some of the priests attending him, and others skilled in the divine law, and exercised in the ecclesiastical sanctions, who shall diligently examine the life, age, and title of the persons to be ordained; at what place they had their education, whether they be well learned, and whether they be instructed in the law of God. By the 24th canon, no bishop shall admit any person into holy orders who is not of his own diocese, except he be either of one of the Universities of this realm, or except he bring letters dimissory from the bishop of whose diocese he is. The persons to whom such letters may be granted are those who were born in the diocese, or are promoted, or are resident in it. In practice, however, they seem generally to be granted by the bishop in whose diocese the candidate is promoted, or where his title lies. The fitness of the person to be ordained as to life, learning, title, and the like, is to be ascertained by the bishop granting the letters dimissory. The 1st of Eliz. c. 1., and 1 W. and M. c. 8., require every person taking orders to take the oaths of allegiance and supremacy before the ordinary or commissary; and, by 13 Eliz. c. 12., none shall be admitted to the order of deacon or minister, unless he first subscribe the Thirty-nine Articles. The 36th canon further requires, that every person, on being ordained, shall subscribe a declaration therein contained, acknowledging the King's supremacy; that the Book of Common Prayer, and of ordering of bishops, priests, and deacons, contains nothing contrary to

the word of God; that it may be lawfully used; that he will use the form prescribed in it in public prayer, and in the administration of the sacrament, and none other; and that he allows the articles of religion to be agreeable to the word of God. The 24 Geo. 3. c. 35. empowers the Bishop of London, or any other bishop appointed by him, to admit to the order of deacon or priest persons subjects of or citizens of other countries out of his Majesty's dominions, without requiring them to take the oath of allegiance. But they are not to exercise their office within his Majesty's dominions and this exemption from taking the above oath is to be mentioned in their testimonial. The 31 Eliz. c. 6. enacts, that any person taking any reward or other profit, directly or indirectly, for or to procure the ordaining or making of any minister, or giving of any orders, or license to preach, shall forfeit 40*l.*, and the person corruptly ordained 10*l.*; and if, at any time within seven years, such person accept any benefice or promotion ecclesiastical, the same shall be void immediately on his induction, investiture, or installation; and the patron shall present, or collate, or dispose of the same, as if he were dead.

The offices of priest and deacon differed much more in former times than at present. Anciently, the deacons seem to have performed the duties which at present devolve on the parish clerk, making the responses, and repeating the Confession, the Creed, and the Lord's Prayer, after the priest. In general, however, they now perform the same offices in the Liturgy as a priest, with the exception of pronouncing the absolution, and administering the Lord's Supper; which latter is to be done only by a priest. (13 and 14 Car. 2. c. 4.) The reason of deacons not being allowed to pronounce the absolution, seems to depend rather on the form of ordination than the Rubric. The latter, indeed, directs that it shall be done by the priest alone; but the word priest is frequently used there as merely signifying the officiating minister. In the ordination, the authority given to the deacon is, "to read the Gospel and to preach;" while to the priest it is said,—"Receive thou the Holy Ghost: whose sins thou dost forgive, they are forgiven; and whose sins thou dost retain, they are retained." Neither priests nor deacons are allowed to preach without license of the archbishop, or of the bishop of the diocese where they are placed, or one of the two Universities.

The form of service used by the Church of England is contained in the Book of Common Prayer, first established by the 2d and 3d of Edw. 6., and ultimately by the Act of Charles II. already mentioned.

The divine service is not allowed to be performed, nor the sacrament administered, any where but in some church or chapel duly consecrated, though it is said the bishop may grant a license for that purpose until consecration. He, too, performs the ceremony of consecration. No church or chapel, however, is allowed to be consecrated unless it be first sufficiently endowed.

II. *The Ecclesiastical Divisions* of England and Wales are provinces or archbishoprics, dioceses or bishoprics, archdeaconries, deaneries, and parishes; each of which divisions has its functionaries, who preside over the functionaries of the inferior divisions; the King, as head of the church, presiding over all. The archbishops, of whom there are two, — the Archbishop of

Canterbury and the Archbishop of York, — have under them, the former twenty-one, the latter four, bishops. The bishoprics within the province of Canterbury, of ancient foundation, are those of Rochester, London, Winchester, Norwich, Lincoln, Ely, Chichester, Salisbury, Exeter, Bath and Wells, Worcester, Coventry and Lichfield, Hereford, Llandaff, St. David's, Bangor, and St. Asaph; and, of new foundation, that is, of those erected by Henry VIII. out of the ruins of dissolved monasteries, Gloucester, Bristol, Peterborough, and Oxford. The bishoprics within the province of York are, Chester, erected by Henry VIII., Durham, Carlisle, and Sodor and Man. Each archbishop has also a diocese of his own, in which he has the same jurisdiction as an ordinary bishop. Each diocese is again divided into archdeaconries, of which there are said to be at present sixty; each archdeaconry, into deaneries; and each deanery into parishes. No particular kind of revenue is due to bishops of common right, as it is to parsons. The possessions attached to the different sees differ in no way from lay possessions; and consist indifferently of lands or other property. With respect to these, the bishops are corporations sole. It is in right of their temporal possessions that they sit in parliament.

For the management of ecclesiastical affairs, the provinces have each a council, or convocation, as it is termed, consisting of the bishops, archdeacons, and deans, in person, and of a certain number of proctors, as the representatives of the inferior clergy; each chapter, in both provinces, sending one; and the parochial clergy of each diocese in the province of Canterbury, and of each archdeaconry in the province of York, sending two. These councils are summoned by the respective archbishops, in pursuance of the King's mandate. When assembled, they must also have the King's license, before they can deliberate; as well as his sanction to their resolutions, before they are binding, which they only are on the clergy. In the province of Canterbury, the convocation forms two houses; the archbishop and bishops sitting together in the upper house, and the inferior clergy in the lower. In the province of York, all sit together in one.

Originally, these councils had the exclusive right of taxing their own body; but this was given up in 1664; since which they have almost entirely fallen into disuse; though they still continue to be summoned, as a matter of form, at the commencement of every parliament; and are prorogued from time to time, and dissolved much in the same manner as parliament.

Powers, Privileges, Election, &c., of Archbishops and Bishops. — The Archbishop of Canterbury is styled Primate and Metropolitan of all England; the Archbishop of York, Primate and Metropolitan of England only: the more extensive title of the former is said to be derived from the Pope having vested the Archbishop of Canterbury with a legatine authority over both provinces.

An archbishop is the chief of the clergy in his province, and has the inspection of its bishops and inferior clergy, and may deprive them on sufficient cause. He has also his own diocese, in which he exercises episcopal, as in his province he exercises archiepiscopal, jurisdiction.* Appeals are made

* See Ecclesiastical Courts, *antè*, pp. 325—331.

to him from all inferior jurisdictions within his province; and from the consistory courts of each diocese to his archiepiscopal court. During the vacancy of any see in his province, he is guardian of its spiritualities, as the king is of the temporalties; and exercises all ecclesiastical jurisdiction therein. When an archiepiscopal see is vacant, the dean and chapter are the spiritual guardians, and have been so since the office of Prior of Canterbury was abolished at the Reformation. The archbishop is entitled to present by lapse to all ecclesiastical livings in the disposal of his diocesan bishops, if not filled within six months. And the archbishop has a customary prerogative, when he consecrates a bishop, to name a clerk or chaplain of his own, to be provided for by such suffragan; in lieu of which it is now usual for the bishop to make over by deed to his archbishop, his executors, and assigns, the next presentation of such dignity or benefice in the bishop's disposal within that see as the archbishop himself shall choose; which is therefore called his option. These options, however, are only binding on the bishop who grants them, and not on his successors. The prerogative itself seems to be derived from the legatine power, previously stated to have been conferred by the Pope on the Metropolitan of Canterbury; the claim being probably set up by the papal see in imitation of the prerogative enjoyed by the emperors of appointing to the first prebend that became vacant after their accession, in every church of the empire. The Archbishop of Canterbury has the privilege by custom of crowning the kings, and the Archbishop of York the queens consort, of the realm. The former has also, by stat. 25 Hen. 8. c. 21., the power of granting dispensations in any case, not contrary to the Holy Scriptures and the law of God, where the Pope used formerly to grant them, which is the origin of his granting special licenses to marry at any place or time, to hold two livings, and so forth; and on this also is founded his right to confer degrees in prejudice of the two Universities. The bishops have much the same jurisdiction within their respective dioceses that the archbishops have in their provinces. All bishops have chancellors to assist them in holding their courts, and in other matters of ecclesiastical law. These, as well as all other ecclesiastical officers, must, if lay and unmarried, be doctors of civil law. They have also a certain number of chaplains — the archbishops eight, and the bishops six each.

"An archbishop or bishop is elected by the chapter of his cathedral church, by virtue of a license from the Crown, termed a *congé d'élire*. Election used to be, in very early times, the usual mode of elevation to the episcopal chair throughout Christendom, and was made promiscuously by the laity as well as clergy. The confusion which in consequence ensued, and a wish, no doubt, to aggrandise their power, early led the sovereigns to take the appointment in some measure into their own hands, by reserving to themselves a right of confirming the election, and of granting investiture of the temporalties, which now began almost universally to be annexed to the spiritual dignities. Without this confirmation and investiture, the elected bishop could neither be consecrated, nor receive any secular profits. This right was acknowledged in the Emperor Charlemagne, in 773, by Pope Hadrian I. and the Council of Lateran; and is said to have been exercised

by the kings of England as early as the Saxon times. In the course of time, however, the custom of making elections by the church having been fully established, the popes began to object to the method of granting these in vestitures, *per annulum et baculum*, that is, by the prince's delivering a ring and pastoral staff, or crosier; contending that this was an encroachment on the church's authority, and an attempt, by a delivery of these symbols, to confer a spiritual jurisdiction. Towards the close of the eleventh century, Pope Gregory VII. published a bull of excommunication against all princes who should dare to confer investitures, and all prelates who should venture to receive them.* Long and eager were the contests occasioned by this famous claim. At length, when the Emperor Henry V. agreed to remove all suspicion of encroachment on the spiritual character, by conferring investitures for the future *per sceptrum*, and not *per annulum et baculum*, and when the Kings of France and England consented to alter the forms in their kingdoms, and receive only homage from the bishops for their temporalties, instead of investing them by the ring and crosier, the court of Rome found it prudent to suspend for a while its other pretensions.

" This concession was obtained in England from Henry I., by Archbishop Anselm ; but, about a century afterwards, John, in order to obtain the support of the pope against his discontented barons, consented to give up by charter, to all the monasteries and cathedrals in the kingdom, the free right of electing their prelates, whether abbots or bishops: reserving only to the Crown the custody of the temporalties during the vacancy; the form of granting a license to elect (the origin of the present *congé d'élire*), on refusal whereof the electors might proceed without it; and the right of approbation afterwards was not to be denied without a reasonable and lawful cause, as is expressly stated in Magna Charta. But at the Reformation, the stat. 25 Hen. 8. c. 20. restored the ancient right of nomination to the Crown : it being enacted, that, at every avoidance of a bishopric, the King may send to the dean and chapter his usual license to proceed to election, which is always to be accompanied with a letter missive from the King, containing the name of the person he would have them to elect ; and if the dean and chapter delay the election above twelve days, the nomination is to devolve on the King, who may by letters patent appoint such person as he pleases. This election or nomination, if it be of a bishop, must be signified by the King's letters patent to the archbishop of the province ; if it be of an archbishop, to the other archbishop and two bishops, or to four bishops; requiring them to confirm, invest, and consecrate the person so elected, which they are bound to do immediately, without any application to the see of Rome." * Certain forms are gone through at this election, but these are not of any general interest. After election and confirmation, the new bishop is invested with full power to exercise his spiritual jurisdiction : he is not, however, except in the case of translation from some other see, fully bishop until he has been consecrated; a ceremony of which the form, with that ob-

* *Blackstone's Commentaries*, Book I. cap. 11.

served at the ordination of priests and deacons, may be seen in the Book of Common Prayer. The oaths of allegiance and supremacy must, on the completion of the ceremony, be administered, together with an oath, in the case of a bishop, of obedience to the archbishop. Every newly elected archbishop or bishop must do homage to the King before he is put in possession of the temporalties of his see, or can sit in parliament.

Archbishoprics and bishoprics become void by death, by deprivation for any gross and notorious crime, and by resignation.

Magnitude and Emolument of Bishoprics. — The discrepancy that prevailed in ancient times in the size of bishoprics, though somewhat diminished by the erection of new ones at the Reformation, has always continued; and the inconveniences thence resulting have been greatly augmented by the wonderful increase that has taken place since 1760, in the population of certain districts compared with others. The following table gives a view of the population, parishes, &c., contained in each bishopric, as they existed on the 1st of May, 1831: —

Benefices, Parishes, Churches and Chapels, and Population of the several Dioceses in 1831.*

Diocese.	Number of Benefices.	Number of Parishes.	Churches and Chapels.	Population.	Diocese.	Number of Benefices.	Number of Parishes.	Churches and Chapels.	Population.
St. Asaph	160	139	143	191,156	Landaff	194	221	228	181,244
Bangor	131	179	192	163,712	Lichfield and Coventry	623	650	655	1,045,481
Bath and Wells	440	479	493	403,795	Lincoln	1,273	1,370	1,377	899,468
Bristol	255	298	306	239,026	London	577	650	689	1,722,685
Canterbury	343	389	374	405,272	Norwich	1,076	1,178	1,210	690,158
Carlisle	128	109	129	135,093	Oxford	208	207	237	140,700
Chester	616	530	631	1,385,958	Peterborough	305	335	338	194,339
Chichester	266	289	302	251,460	Rochester	93	107	111	191,875
St. David	451	525	561	358,451	Salisbury	408	451	474	384,683
Durham	175	140	214	469,933	Winchester	389	408	464	729,607
Ely	156	158	160	153,722	Worcester	222	230	260	271,687
Exeter	602	681	711	795,416	York	828	741	876	1,496,538
Gloucester	283	296	330	315,512					
Hereford	326	346	360	206,327	Total	10,533	11,077	11,825	13,897,187

The revenues, too, as well as the territorial extent and population of the different sees, differ very widely; so much so, that while the Bishop of Durham has a nett revenue of from 18,000*l.* to 20,000*l.* a year, the revenue of the see of Llandaff does not exceed from 900*l.* to 1,300*l.* a year! and there are other instances in which the discrepancy is not much less striking. This difference is partly owing to circumstances connected with the original establishment of the various sees, and partly to the property attached to some having from various causes become in the course of time much more valuable than that attached to others.

But, however the inequalities referred to may have originated, it has long been felt that a new arrangement of the bishoprics, both as respects their territorial magnitude and their revenues, would be highly desirable. At present, too, there is every probability that such an arrangement will be effected. Commissioners appointed in 1884, during the administration of

* This table is extracted from the Preliminary Remarks (p. 19.) prefixed to the census of 1831. It does not quite agree with the tables in the Report of the Commissioners of Ecclesiastical Inquiry, but the discrepancies are immaterial.

Sir Robert Peel, recommended that two new bishoprics — those of Manchester and Ripon — should be formed in the principal manufacturing districts, chiefly out of deductions made from the territories included in the dioceses of York and Chester. They further recommended that the bishoprics of Bristol and of Sodor and Man should be suppressed; and that various changes should be made in the distribution of the territories of the other bishoprics. These recommendations have since been confirmed in all their essential particulars by the Reports of the Commissioners appointed by Lord Melbourne's government; so that there is every prospect of their being carried into effect.

The nett revenue of the different sees, as returned to the Commissioners of Ecclesiastical Inquiry, at an average of the three years ending with 1831, amounted to 160,292*l.* a year, distributed as follows: —

Archbishopric of Canterbury	£19,182	Bishopric of Hereford	2,516
York	12,629	Llandaff	924
Bishopric of St. Asaph	6,301	Lichfield and Coventry	3,923
Bangor	4,464	Lincoln	4,542
Bath and Wells	5,946	London	13,929
Bristol	2,351	Norwich	5,395
Carlisle	2,213	Oxford	2,648
Chester	3,261	Peterborough	3,103
Chichester	4,229	Rochester	1,459
St. David's	1,897	Salisbury	3,939
Durham	19,066	Winchester	11,151
Ely	11,105	Worcester	6,569
Exeter	2,713	Sodor and Man	2,555
Gloucester	2,282		

But as a considerable portion of the revenue of some of the sees arises from tithes, the value of which has fallen since 1831, the entire nett revenue of the different sees may, perhaps, be at present (1836) estimated at 150,000*l.* Supposing this were equally divided, it would give 5,550*l.* a year to each see. But it is right that the revenues of the archbishops should exceed those of the bishops; and there may be good grounds for making distinctions in the revenue of the latter, though not to the present extent. The Commissioners, therefore, suggest that, saving the rights of the present incumbents, the future revenue of the Bishop of Durham should be reduced to about 8,000*l.* a year; and that such deductions should be made from the revenues of the sees of Ely, Winchester, Worcester, and London, as would yield, with the surplus derivable from the see of Durham and the suppressed bishoprics, a fund of about 28,000*l.* a year, which would be sufficient for the endowment of the two new bishoprics, and for augmenting the revenues of such of the old bishoprics as are inadequate for the proper support of the episcopal dignity.

By far the largest part of the revenue of the bishops, as well as that of the deans and chapters (see *post*), is derived from land. The estates belonging to the church are mostly let on lives, on the system of fines. This makes the revenue of the different sees fluctuate from year to year according as a less or greater amount of fines is received; and is felt to be a considerable difficulty in the way of the proposed arrangements. We have elsewhere

pointed out the mischievous influence of the practice of letting land by fine. (Vol. I. p. 459.) Indeed the interests of the church, as well as those of the public, would be equally promoted by giving every facility to the conversion of leases for lives into leases for moderate terms of years at an equal rent.

Deans and Chapters. — The dean and chapter are usually said to be the council of the bishop. They form a body corporate, consisting of the dean, who is chief, and a certain number of canons or prebendaries, as the case may be. The possessions of the dean and chapter being, however, for the most part divided, the dean having a certain part in right of his deanery, and each of the prebendaries a certain part in right of their prebends, they form, in respect of their particular shares, corporations sole. The residue is held by the dean and chapter in their capacity of a corporation aggregate. In this capacity they also vote in the chapter. When the bishops dispersed the body of their clergy by appointing them to parochial cures, they appear to have reserved a college of priests or secular canons for their counsel and assistance, and for the constant celebration of divine offices in the mother or cathedral church: the principal of these obtained the name of *decanus*, or dean, probably, as Blackstone supposes, from his being at first appointed to superintend *ten* canons, or prebendaries. By degrees, however, their dependence on the bishop became less and less, until the latter had little more power over them than the right of visitation, as at present, and even this in a very limited degree. The corporate character of the dean and chapter is, of course, derived from the Crown. Of the deans and chapters; some are said to be of old, some of new foundation; the distinction between them, depending on the same circumstances that gave rise to the distinction between old and new bishoprics. (See *antè*, p. 393.) Deans of the old foundation come in by election of the chapter upon the King's *congé d'élire*, with the royal assent, and confirmation by the bishop, much in the same way as the bishops themselves; but, generally, deans of the new foundation come in by the King's letters patent, upon which they are instituted, and then installed upon a mandate, pursuant to such institution, and directed to the chapters. The chapter consists of canons, or prebendaries, sometimes appointed by the King, sometimes by the bishop, and sometimes elected by each other. The chapter, in a collegiate church, is more properly called a college, as at Westminster and Windsor, where there is no episcopal see. There may be a chapter without any dean; as the chapter of the collegiate church of Southwell; and grants by or to them are as effectual as other grants by dean and chapter. In the cathedral church of St. David's and Llandaff, there are no deans; the bishop in each being the head of the chapter.

Every dean must be resident in his cathedral church four score and ten days, *conjunctim* or *divisim*, in every year, at the least; and must continue there in preaching the word of God, and keeping good hospitality, unless prevented by weighty and urgent causes, to be approved by the bishop, or in any other lawful sort dispensed with.

The estates and revenues belonging to some of the deans and chapters are very large. Thus, the dean of Durham has a nett income, exclusive of the

expense of servants, and of the establishment, of 4,800*l.* a year, and the chapter of 32,160*l.*: the dean of Oxford has 3,113*l.*, and the chapter 14,736*l.*; the dean of Westminster has 2,979*l.*, and the chapter 17,566*l.*; and the revenues enjoyed by the deans and chapters of Windsor, Canterbury, Winchester, Worcester, and others, are also very large.

Table showing the Amount of the Revenue of the Cathedral and Collegiate Churches of England and Wales at an average of the *Seven* Years ending with 1834, and its Appropriation. — (2d *Report of Church Commissioners*, p. 25.)

Deans and Chapters.	Total annual Revenue.	Total Expenses of Establishment.	Total Sum to be divided among the Members of the Chapters.	Annual Revenue of Dean or other senior Officer.	Annual Revenue of each Prebend or Canon Residentiary.	Number of Prebends or Canons, exclusive of the Dean.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
Canterbury	15,463 17 5	5,632 19 1	9,830 18 4	1,634 16 4	683 0 2	12
York	2,307 12 1	- -	2,307 12 1	461 10 5	461 10 5	4
St. Asaph	2,574 14 1	1,121 13 7	1,453 0 6	103 15 9	103 15 9	13
Bangor	No revenues or establishment as a corporate body.					
Bath and Wells	6,431 6 10	1,261 8 2	5,169 18 8	747 2 8	737 2 8	6
Bristol	4,489 13 11	1,106 15 2	3,382 18 9	890 14 9	415 7 4	6
Carlisle	5,020 4 0	1,077 9½6	3,942 14 6	1,384 16 6	639 9 6	4
Chester	1,995 10 6	927 14 5	1,067 16 1	316 19 1	125 2 10	6
Chichester	4,611 12 9	1,471 18 0	3,139 14 9	628 17 9	627 14 3	4
St. David's	1,361 11 8	202 14 8	1,158 17 0	193 2 10	193 2 10	5
Durham	36,935 7 0	4,774 10 4	32,160 16 8	4,800 4 8	2,280 1 0	12
Ely	7,685 16 6	1,267 9 11	6,418 6 7	1,357 13 11	632 11 7	8
Exeter	9,839 4 5	2,062 5 8	7,776 18 9	864 2 1	864 2 1	8
Gloucester	5,317 16 7	1,290 5 2	4,027 11 5	1,051 17 11	495 18 11	6
Hereford	4,238 14 4	714 15 4	3,523 19 0	543 8 4	596 2 1	5
Llandaff	965 17 10	242 13 3	723 4 7	116 2 7	50 11 10	12
Lichfield	1,673 4 0	330 0 0	1,343 4 0	285 17 0	176 4 6	6
Lincoln	6,670 19 3	899 17 1	5,771 2 2	1,442 7 5	1,442 18 3	3
London	9,490 8 11	1,320 11 3	8,169 17 8	2,042 9 5	2,042 9 5	3
Norwich	9,001 15 3	2,439 1 3	6,562 14 0	1,681 18 0	813 9 4	6
Oxford	17,446 2 9	2,710 1 11	14,736 0 10	3,112 17 6	1,452 17 11	8
Peterborough	5,920 6 0	1,518 19 10	4,401 6 2	1,166 1 8	539 4 1	6
Rochester	7,044 16 8	1,532 18 10	5,511 18 8	1,426 0 8	680 19 8	6
Salisbury	4,552 10 8	991 12 2	3,560 18 6	556 16 6	560 13 8	6
Winchester	10,869 1 10	1,729 3 8	9,139 18 2	1,430 6 2	642 9 4	12
Windsor	16,684 7 2	1,953 8 6	14,730 18 8	1,196 10 8	1,127 17 4	12
Worcester	10,338 8 11	2,590 6 4	7,748 2 7	1,486 11 9	626 3 11	10
Westminster	23,543 13 0	5,987 17 2	17,555 15 10	2,978 18 10	1,214 14 9	12

It is apparent that very considerable reductions might be made in several of these establishments without in any degree impairing their real efficiency. This, also, is the opinion of the Church Commissioners, who state, that "the most important objects of these establishments may be secured and continued consistently with a reduction of the present cathedral preferments."—And, conformably to this statement, they recommend that various reductions should be made; and that the surplus revenue thence arising should be appropriated, partly to increase the smaller class of livings, and partly to endow churches and chapels in places where they are wanted.

Archdeacons. — The office of archdeacon is said to have originated about the end of the third century, when the bishops adopted the practice of choosing for their peculiar service some one of the deacons, who at that time merely assisted as servants in the performance of the divine rites. The one thus chosen was termed archdeacon; and being always about the bishop, and delegated to visit the more distant parts of the diocese, and to examine and report upon certain cases, he succeeded at length in establishing an independent jurisdiction. So early, indeed, as the beginning of the seventh century, the archdeacon appears to have possessed the chief care and inspec-

tion of the diocese. The division, however, of dioceses into archdeaconries, which took place in England shortly after the Conquest, and the grants of particular powers, which the bishops were enabled to make under the charter of William the Conqueror, necessarily terminated their general jurisdiction over the whole diocese: to supply which the offices of vicar-general, official, and chancellor to the bishop were created.

Archdeacons are a very important class of church officers: their business is to examine candidates for holy orders, to make parochial circuits, and to see that the clergy within their jurisdiction do their duty. They have courts where they may inflict censures, suspend or excommunicate persons, prove wills, grant administrations, and hear ecclesiastical causes, subject to an appeal to the bishop. (See *antè*, p. 327.)

Archdeaconries are commonly given by bishops, who prefer to them by collation: but if an archdeaconry be in the gift of a layman, he presents to the bishop, who institutes in like manner as to an ordinary benefice. Archdeacons are ordered by the 13 & 14 Car. 2. c. 4. to read the Common Prayer, and declare their assent thereto, in the same manner as other persons admitted to ecclesiastical benefices; and they must also subscribe the same before the ordinary: but the 13 Eliz. c. 12. does not oblige them to subscribe and read the Thirty-nine Articles; for though an archdeaconry be a benefice with cure, it does not come within the statute, which is held to apply only to such benefices with cure as have particular churches belonging to them.

The emoluments of the archdeacons are, for the most part, very inadequate, amounting, at an average, exclusive of their other preferments, to only 87*l.* a year. The Commissioners recommend that their incomes should be increased, and that greater efficiency should be given to the office. Their remuneration, such as it is, arises principally from small payments, made to them in their visitations, under the name of procurations, the amount of which has continued the same for several centuries. The total of their emoluments is, in most cases, not sufficient to defray the necessary expenses of their ordinary visitations, still less of their parochial circuits, the regular performance, of which is the most essential of their duties. The Commissioners state that a stall in each cathedral should, where practicable, be applied to the purpose of making a better provision for this important office.

Deans and Deaneries. — There are several sorts of deans and deaneries. 1st, Those belonging to the ecclesiastical division of deaneries already mentioned, called rural deans, who originally ordered the ecclesiastical affairs within their deaneries and precincts, under the direction of the bishops or the archdeacons. These, however, had been disused in most dioceses; but it has of late been considered desirable to revive them. 2dly, The deans of cathedrals, already described, who have a chapter consisting of prebendaries, or canons, subordinate to the bishop, as a council assistant to him. The third species of deans are those of *peculiars;* that is, of particular parishes and churches, or rural districts that have jurisdiction within themselves, and are not under the ordinary of the diocese. There are several sorts of peculiars, as royal peculiars, archiepiscopal, and episcopal, peculiars, and those of deans and chapters, and the like. Deans of peculiars have some-

times jurisdiction and cure of souls, as the Dean of Battel, in Sussex, and sometimes jurisdiction only, as the Dean of the Arches, London.

Parsons, Vicars, &c. — Parsons, *Personæ ecclesiæ*, the most numerous and important order of men in the establishment, are the incumbents of parish churches, duly presented, instituted, and inducted, and intrusted with the cure of the souls of their parishioners. They are either rectors or vicars; the difference between them being, that the one is of common right, entitled to all the tithes or tenths of the produce within his parish, while the other is entitled only to a certain portion. Both, however, discharge the same parochial duties, performing divine service in the church on Sundays, and other festivals, and officiating in christenings, marriages, and burials. It is their duty, also, to visit the sick in their parishes, and, if necessary, to read prayers and administer the sacrament to them. In some parishes there are neither rectors nor vicars; in others again, from their having other ecclesiastical preferment or avocations, they are unable to reside. In these, their duties are performed by curates.

As to the origin of parishes, see Vol. I. p. 170.

Tithes. — The custom of paying tithes for the support of the clergy was, no doubt, derived from the Levitical law, and was probably introduced into England as early as Christianity itself. But it did not exist, as a civil right, until the latter end of the eighth century, when Offa, king of Mercia, made a law giving to the church all the tithes of his kingdom. This law was extended, about sixty years after, by Ethelwulph, over the whole of England. For centuries afterwards, however, it was customary for the landowners to pay their tithes to whatever clergyman they pleased; and so it continued until after the Conquest, when the appropriation of the tithes of each particular parish for the support of the incumbent of the parish church is generally said to have taken place; the lords of manors founding churches, and endowing them with the tithes of the lands within their manors. Hence it is, according to some, that parishes and manors are at this day usually found co-extensive. Perhaps, however, it is a more probable conjecture, that the Normans found parishes already existing, and, in granting manors, adopted them as convenient well known divisions. This also seems in some measure confirmed by the fact, that though manors sometimes extend over several parishes, they never run into each other. In some parishes, the tithes of a particular district are payable to the rector of another parish, which is explained by the circumstance just mentioned, viz., that in manors extending over several parishes, it was at the option of the lord to apportion the payment of the tithes in what manner he pleased. This settlement, however, did not proceed without interruption. In many parishes, the religious societies who had established themselves in various parts of the kingdom, procured the tithes to be appropriated to their own houses; undertaking themselves to provide for the performance of all the ecclesiastical duties, which they usually did by means of some of their own members. The extent to which this was carried gave rise to several decrees, by Otho and other popes, forbidding appropriations to be made in future without setting apart some portion of the tithes for the main-

tenance of a curate to perform the necessary parochial duties. The ingenuity of the monks, however, successfully evaded these decrees. They pretended that they held these appropriations, not for their own worldly advantage, but as trustees only for godly and pious purposes — to defray the expenses of a pilgrimage, for the purposes of hospitality, or for the relief of the poor; and, under these pretexts, they continued to be appropriated to them as before. At length Parliament found it necessary to interfere; and, by stat. 15 Rich. 2. c. 6., it was enacted, that on every appropriation of any parish church, a vicar should be well and sufficiently endowed; and, by stat. 4 Hen. 4. c. 12., that "from thenceforth, in every church appropriated, there should be a secular person ordained vicar-perpetual, canonically instituted and inducted, and properly endowed, by the discretion of the ordinary, to do divine service, and to inform the people, and to keep hospitality there; and no religious were in any wise to be made vicar in any church appropriated." The usual method of apportioning the tithes under these acts was by giving the tithes of corn, wood, and hay, or the great tithes, as they were termed, to the rector, and the others, or the small tithes, to the vicar: but the rule varied; and, in some parishes, a portion of the great tithes was also given to the vicar. As these acts, however, applied only to subsequent appropriations, all parishes in which the tithes had been previously appropriated remained as before; and in some instances the practice seems, under various pretences, to have continued even after the passing of these acts; whence it is that we find many parishes at this day without either rector or vicar, these being commonly known by the name of perpetual curacies.

Another interruption to the settlement of tithes was the practice adopted by the religious bodies of procuring from the Pope exemptions of the lands they held from their payment. Four of the orders, namely, the Cistercians, Templars, Hospitallers, and Premonstratenses, had a general exemption; the others obtained one as often as they found it necessary. But these appropriations and exemptions, being given only to the religious houses, must necessarily, but for the interference of Parliament, have ceased when the latter were suppressed at the Reformation. To prevent this, a clause was inserted in the acts transferring their possessions to Henry VIII., to the effect that he should enjoy them as amply and beneficially as they had been previously enjoyed by the abbots and priors. The possessions thus acquired by the Crown being afterwards granted out to subjects, tithes, as well as lands exempted from the payment of tithes, got into the hands of laymen, and so continue down to the present time. When this is the case there is both a rector and vicar in the same parish; the former possessing the great or rectorial, the latter the small or vicarial tithes: the rector, however, has nothing to do with the spiritual part of the office, which is entirely performed by the vicar. Until the late act passed in 2 & 3 W. 4., which limits the time for prescription, it was necessary for all claiming exemption from payment of tithes, or, in the language of the law, a "prescription *de non decimando*," to show that the lands for which they claimed such exemption had belonged to one of the privileged orders. Another and more legitimate me-

thod of exempting lands from the payment of tithes, was either by commuting the tithe for some fixed money payment, called a *modus decimandi*, or vulgarly a modus, or by some composition, as giving up to the rector or incumbent of the parish a portion of land, on condition that the remainder should be exempted. The consent, however, of the patron and ordinary were necessary for the validity of these arrangements.

Table classing the Appropriations and Impropriations; showing the Number possessed by each Class, and the Number of Cases in each Diocese in which the Vicarage is partly or wholly endowed with the Great Tithes.

Dioceses.	Crown.	Archbishop and Bishops.	Deans and Chapters or Ecclesiastical Corporations Aggregate.	Dignitaries and other Ecclesiastical Corporations Sole.	Universities Colleges, and Hospitals.	Private Owners.	Municipal Corporations.	Vicarages partly endowed.	Vicarages wholly endowed.
St. Asaph	-	12	10	8	-	27	-	1	
Bangor	-	11	7	7	-	29	-	3	
Bath and Wells	1	9	27	36	-	105	4	5	8
Bristol	-	1	16	11	2	48	2	2	3
Canterbury	-	48	46	12	8	49	1	2	7
Carlisle	-	8	30	3	2	28	-	3	1
Chester	2	21	28	5	15	113	-	6	3
Chichester	-	7	11	16	5	67	-	3	12
St. David's	1	18	20	49	4	124	2	13	4
Durham	1	7	28	7	13	61	1	6	3
Ely	-	10	36	-	19	27	-	2	1
Exeter	2	5	61	23	4	156	7	9	11
Gloucester	2	14	52	2	3	54	1	1	5
Hereford	-	20	25	11	12	80	-	11	14
Lichfield and Coventry	1	8	20	49	5	249	4	9	10
Lincoln	3	39	48	36	31	347	3	12	8
Llandaff	1	10	30	9	4	45	2	3	6
London	1	13	26	16	16	144	1	3	4
Norwich	1	47	48	2	22	197	9	7	14
Oxford	-	7	18	5	27	36	-	4	-
Peterborough	-	8	10	1	6	65	-	-	1
Rochester	1	3	15	1	4	21	-	1	-
Salisbury	1	6	37	23	21	93	2	3	3
Winchester	-	3	8	16	29	78	-	6	5
Worcester	5	4	25	8	3	43	3	3	3
York	7	40	52	79	26	265	1	2	5
Sodor and Man	8	6	-	-	-	1	-	1	1
Total	38	385	702	438	281	2,552	43	121	132

The number of vicarages of which the impropriations have not been returned to the Commissioners, is 223. Where the impropriation and appropriation of the great tithes is shared between owners of different classes, it is included under each class.

There are some few cases of rectories, in which the rector has only a portion of the great tithes, the remainder being the property of a spiritual person or body, or of a lay-impropriator; and in Jersey and Guernsey, the benefices are merely nominal rectories, the incumbent not being entitled in any case to more than a portion (generally one third) of the great tithes, the crown or governor taking the residue; and in some cases the whole goes to the crown or governor.

The following table, founded on the returns under the Property-tax Act, in 1810, exhibits the then annual value of the land, in the different counties of England and Wales, specifying the value of the portions that were tithe-free, titheable, tithe-free in part, and free on payment of a modus. (See the Table next page.)

Commutation of Tithes. — The providing for the clergy by means of tithes has, in modern times, been greatly objected to. Nothing, indeed, has done so much to weaken the influence of that body in England, and to diminish their usefulness, as the unseemly contests in which they have been necessarily involved with their parishioners on the subject of tithes; and it has too often happened that a clergyman's popularity has depended more on his indulgence in this particular, or on his readiness or ability to sacrifice a portion of his own just claims, than on the purity of his life and the soundness of his doctrines. Tithes have, also, formed a very serious obstacle to the progress of agricultural improvement. In this respect they have had a much greater practical influence than might seem, to a superficial observer, to belong to them.

Table exhibiting the Value of Land in England and Wales, Tithe Free, Titheable, &c.

Counties.	Tithe-free.	Titheable.	Tithe-free in part.	On Payment of Modus.
	L. *s.* *d.*	*L.* *s.* *d.*	*L.* *s.* *d.*	*L.* *s.* *d.*
Bedford	186,589 6 3	85,031 13 9	524 5 0	475 15 0
Berks	88,441 3 0	316,709 10 9		
Bucks	303,920 8 8	182,202 14 11	12,554 15 0	
Cambridge	107,045 19 10	342,719 12 9	2,515 0 0	935 0 0
Chester	25,412 9 4	646,865 6 8	1,256 15 0	849 7 4
Cornwall	2,153 10 0	561,846 3 0	510 0 0	1,963 3 0
Cumberland	69,094 0 6	312,645 10 8	71,759 7 6	15,751 10 0
Derby	230,528 15 3	310,149 7 3	78,739 13 0	2,275 17 0
Devon	28,917 17 11	1,181,142 2 5	4,967 0 0	2,520 0 0
Dorset	48,853 17 4	436,642 11 10	545 0 0	2,984 0 0
Durham	145,073 9 0	358,411 7 3	3,269 10 9	1,278 15 4
Essex	72,796 19 0	826,784 12 5	1,708 0 0	3,236 0 0
Gloucester	254,446 7 4	545,562 8 7	- - -	5,124 11 0
Hereford	21,310 3 4	432,267 9 0		
Hertford	76,150 10 0	261,616 16 7	1,483 13 4	100 0 0
Huntingdon	119,176 14 10	156,367 8 10	16,895 4 0	11,637 0 6
Kent	11,290 5 6	849,040 19 8	7,857 6 0	
Lancaster	129,313 17 2	1,131,425 15 10	2,643 5 0	6,962 0 0
Leicester	488,076 5 4	175,538 15 1	18,514 5 10	22,282 18 2
Lincoln	938,093 11 6	499,009 1 7	107,729 7 3	37,108 10 6
Middlesex	89,594 14 8	264,372 17 8	1,120 0 0	
Norfolk	105,941 7 6	823,218 3 8	4,270 0 6	410 0 0
Northampton	560,556 17 9	114,097 15 11	13,070 17 9	8,911 9 7
Northumberland	293,057 2 5	433,037 13 7	129,897 15 4	50,797 0 0
Nottingham	340,163 3 2	183,548 0 0	4,036 0 0	7,294 0 0
Oxford	275,140 6 1	219,105 14 7	2,057 0 0	1,322 0 0
Rutland	63,316 1 8	15,146 16 8	20,149 17 4	560 0 0
Salop	92,327 12 9	639,150 9 6	4,200 0 0	2,817 6 0
Somerset	54,316 6 6	1,296,577 6 0	4,214 5 0	
Southampton	25,582 9 3	568,457 11 0		
Stafford	139,412 16 4	617,192 9 0		
Suffolk	60,425 14 0	624,253 16 0	6,486 2 0	2,912 10 0
Surrey	55,930 18 11	360,564 6 2½	3,746 5 0	10,000 0 0
Sussex	54,109 3 5	410,256 7 1	15,506 14 11	72,077 16 8
Warwick	280,103 6 9½	208,214 9 10½	112,097 7 11½	44,724 5 10
Westminster	2,032 0 0	1,023 0 0		
Westmoreland	107,185 3 10	81,724 4 3	10,658 8 0	21,988 10 3
Wilts	218,674 13 2	562,160 15 6	21,004 1 5	8,788 6 11
Worcester	149,277 8 8	363,728 1 1	1,276 12 0	1,921 3 0
York	1,421,883 11 7	1,410,020 5 3	170,849 17 4	105,864 15 11
Anglesey	45,354 11 2	19,767 0 0		
Brecon	738 0 0	107,703 7 2		
Cardigan	288 0 0	101,262 2 8		
Caermarthen	151 6 0	224,001 7 2		
Caernarvon	88,075 17 1	2,772 9 10		
Denbigh	- - -	182,874 0 5		
Flint	- - -	118,615 0 4		
Glamorgan	1,637 13 4	165,689 14 9	- - -	43,433 1 4
Merioneth	272 0 0	83,179 10 9		
Monmouth	30,131 0 0	173,445 1 0		
Montgomery	2,745 0 0	149,258 8 0	- - -	5 0 0
Pembroke	4,370 15 4	156,246 11 5		
Radnor	2,235 6 6	86,015 12 4		
	7,904,378 17 4½	20,217,466 17 7½	856,183 12 2	498,823 5 4

By preventing the cultivators from reaping the entire advantage of superior skill and industry, they have discouraged their efforts, and contributed to render them indolent and indifferent. An occupier of land, if he be a dissenter, is especially indisposed to benefit the church by setting about any improvement in which it must participate so largely. But, independently altogether of this, it is clear, that the subjecting of land to so heavy a tax as a *tenth of the gross produce*, without any deduction for any part of the expense incurred in raising it, must be a very great discouragement to the outlay of capital upon it. All agricultural authorities admit that the influence of tithe has been in this way most pernicious. Dr. Paley, who cannot be suspected of favouring any opinion adverse to the real interests of the church, has not hesitated to say, that "*Of all institutions, adverse to cultivation and improvement, none is so noxious as that of tithes.* A claimant," he continues, "here enters into the produce, who contributed no assistance whatever to the production. When years, perhaps, of care and toil have matured an improvement; when the husbandman sees new crops ripening to his skill and industry; the moment he is ready to put his sickle to the grain, he finds

himself compelled to divide his harvest with a stranger. Tithes are a tax, not only upon industry, but upon that industry which feeds mankind; upon that species of exertion which it is the object of all wise laws to cherish and promote." — (*Moral Philosophy*, cap. xi.)

In consequence of the growing prevalence of these opinions, the attention of the public, and of government, has been more and more directed to a commutation of tithe. Various plans for bringing this about have been proposed at different times; and, owing to the difficulty of the subject, and the conflicting interests it involves, it is impossible, perhaps, to suggest any scheme that should be in all respects unobjectionable. It is essential that, however effected, the commutation, when once made, should be final, and unsusceptible of farther modification. Unless this were the case, the principal benefit to be derived from it — the giving full scope to improvement, and to the outlay of capital on the land—would not be attained. It is necessary, too, in effecting a commutation, that provision should be made, in so far at least as that is practicable, for protecting the clergy against the loss or diminution of their incomes by any fall in the value of money. These different objects seem to be pretty well accomplished by the bill now before parliament for a commutation of tithe. According to its provisions, the average value of the tithes in each parish, during the last seven years, is to be ascertained and distributed into equivalent quantities of wheat, barley, and oats; and the clergy are to be entitled to get the value of these quantities in all time to come, according to the current prices of the day. By this means they will be liable only to fluctuations in the value of corn; and to these they would have been liable, though no commutation had been affected. Commissioners are to be appointed to carry the act into execution.*

Admission of Parsons. — Endowed parochial churches or benefices, as they are termed, whether having rectors or vicars, are of three sorts — presentative, collative, and donative. To the due admission of a clerk to a presentative benefice, three things are necessary, — presentation, institution, and induction. Presentation is the offering a clerk to the ordinary, whose duty it is to examine into the ability and sufficiency of the person so presented, and to ascertain that he is of the proper age, and in priest's orders. The usual oaths of allegiance, supremacy, and canonical obedience, are then administered; and he is required to subscribe the Thirty-nine Articles, as well as three others required by the 36th Canon, acknowledging the King's supremacy, the correctness of the Book of Common Prayer, and of the Thirty-nine Articles; together with a declaration of conformity with the liturgy of the Church of England. This being done, the ordinary admits him in the usual form. When the bishop has instituted the clerk, he issues a mandate to the archdeacon, from whom another issues to some clergyman to induct; for, till this be done, he is not a complete parson. By the institution he is admitted, *ad officium*, to perform the spiritual functions; but he is not entitled *ad beneficium* to the temporalties of the living until formally inducted.

* For a discussion of the questions as to the influence of tithes on prices, rent, &c. see the note on taxes on raw produce, in M'Culloch's edition of *The Wealth of Nations*.

The 13 Eliz. c. 12., and the 13 & 14 Car. 2. c. 4., order that every person admitted to any benefice shall, within two months after his promotion, publicly read the Thirty-nine Articles and the Common Prayer, and declare his assent thereto; and in the event of his failing to do this, his benefice is declared to be *ipso facto* void. In the latter case, indeed, he is also deprived of all other church preferment he may have. Finally, the incumbent must, within six months after his admission, take the oaths of allegiance and supremacy in one of the courts at Westminster, or at the general quarter sessions of the peace, on pain of being incapacitated to hold his benefice, and other disabilities, and of being subject to a penalty of 500*l.*

It sometimes happens that the right of presentation to a living is in one person, and the right of nomination in another. In this case, the person who has the presentation is bound to present to the bishop such individual only as the person having the nomination may appoint. Collative benefices are, where the right of presentation is in the bishop; and in these all that is necessary to put the clerk in possession of his benefice is institution and induction. Where the benefice is donative, possession is given by the mere donation of the patron in writing, without presentation, institution, or induction.

The *advowson*, or right of presentation, donation, or whatever it may be, originally belonged to the founder of the church; and at this day by far the largest portion of church patronage is vested in lay proprietors. The rest is held partly by the Crown, which came, at the Reformation, into possession of the patronage which had previously belonged to the monasteries; and partly by archbishops and bishops, deans and chapters, dignitaries, and other ecclesiastical corporations sole, universities, colleges, &c., and municipal corporations. The distribution of the patronage in each diocese is exhibited in the following table: —

Table exhibiting the Distribution of the Patronage of Benefices in England and Wales.

Dioceses.	Crown.	Archbishops and Bishops.	Deans and Chapters, or Ecclesiastical Corporations Aggregate.	Dignitaries and other Ecclesiastical Corporations Sole.	Universities Colleges and Hospitals not Ecclesiastical.	Private Owners.	Municipal Corporations.
St. Asaph	2	120	-	2	1	19	
Bangor	6	78	1	7	3	29	
Bath and Wells	21	29	89	103	23	224	4
Bristol	12	15	11	42	14	159	10
Canterbury	18	148	36	36	14	87	2
Carlisle	4	20	27	19	3	54	
Chester	26	34	34	227	13	299	6
Chichester	19	31	21	49	15	130	
St. David's	63	102	16	61	12	159	
Durham	12	45	36	28	4	66	
Ely	2	31	21	13	46	39	
Exeter	63	44	69	117	11	309	5
Gloucester	29	30	35	40	26	133	3
Hereford	26	36	26	54	11	179	
Lichfield and Coventry	53	18	10	122	6	391	5
Lincoln	156	73	63	177	102	688	
Llandaff	14	6	28	19	7	118	
London	75	86	58	105	68	277	
Norwich	95	85	47	124	86	596	13
Oxford	12	13	22	16	59	78	
Peterborough	31	18	12	40	32	171	
Rochester	10	15	17	8	4	44	
Salisbury	35	39	44	67	60	154	
Winchester	30	53	15	79	53	197	
Worcester	20	14	38	39	15	98	
York	103	57	61	257	33	397	5
Sodor and Man	15	8	-	-	-	1	
Total	952	1,248	787	1,851	721	5,096	53

N. B.—This table is not quite accurate. It includes only the patronage returned to the Ecclesiastical Commissioners; and there were 178 non-returns, and 86 returns that omitted the patronage. When the patronage is divided among different classes of patrons, it is included under each; so that the total number of patrons will not exactly agree with the total number of benefices.

In the disposal of Crown livings, the chancellor usually presents to all of the value of 20*l.* per annum, or under, in what is called the King's book, containing a survey of all ecclesiastical livings in England made in the 20 Hen. 8. The disposition of livings above this value, as well as all other church patronage, is understood to rest with the premier and the King himself. The 36 Eliz. c. 6., for the prevention of simony, declares all presentations to any benefice, with cure of souls, made for any sum of money, reward, gift, profit, or benefit whatsoever, void and of no effect in law.

Residence of the Clergy. — By the canon as well as the common law, the incumbent of every benefice is under the obligation of residing; and, by stat. 57 Geo. 3. c. 99., persons wilfully absenting themselves from their benefices, for more than three months together in the year, incur a penalty of one third of the proceeds; if for six months, one half, and so on in proportion; to be recovered by the bishop by sequestration, and to be appropriated to the augmentation of Queen Anne's bounty. But chaplains to the King, and other persons of rank mentioned in the act are exempted during their attendance in the households of such as retain them; as also are all heads of houses, magistrates, and professors in the universities, and all students under forty years of age, residing there *bonâ fide* for study. Legal residence is not only in the parish, but in the parsonage house, if there be one. Provision is made, by the stat. 17 Geo. 3. c. 53., for raising money upon ecclesiastical benefices, to be paid off by annually decreasing instalments; and to be expended in building, rebuilding, or repairing the houses belonging to such benefices.

But, notwithstanding the obstacles that have been thus thrown in the way of non-residence, and its unpopularity, as well as that of the twin practice of pluralities, they still prevail to a considerable extent. Their entire suppression may not, perhaps, be desirable; and though it were, it is pretty certain that it could not be effected without the augmentation or suppression of a large number of the smaller class of livings. If a living be insufficient for the support of a resident clergyman, it is plain the parish must either be entirely without the services of a parson, or he must be allowed to eke out his revenue by holding some other preferment or living, which must consequently engross a greater or less portion of his time. Now, this is really the case with a very considerable number of livings in the Church of England. It appears that of 10,478 benefices, from which returns have been received, 297 are under 50*l.* a year, 1,629 are between 50*l.* and 100*l.* a year, and 1,602 are between 100*l.* and 150*l.* a year; so that there are 1,926 benefices under 100*l.* a year, and 3,528, or more than a third of all the benefices in the country, under 150*l.* a year! On many of these benefices there are no glebe houses, nor do they possess the means of erecting any.

Were the spiritual duties of the poorest of these livings not performed by the clergymen of the neighbouring parishes, it is difficult to see how they could be performed at all. Some of these benefices are very populous; 13 containing each a population of more than 10,000; 51 a population of from 5,000 to 10,000; and 251 a population of between 2,500 and 5,000! It is most desirable that there should be a resident clergyman on each of these benefices; or, at least, on all those that have a population of 700 or 800, or upwards. This, however, cannot in many instances be accomplished otherwise than by the augmentation of the livings; and the Ecclesiastical Commissioners state that 235,000*l.* a year would be required to raise them universally to sums varying from a *minimum* of 200*l.* to a *maximum* stipend of 400*l.* a year; but, as the Commissioners suppose that a sum of about 130,000*l.* a year will be provided for the augmentation of small livings and the cure of souls, by the reforms which they recommend, it is to be hoped that, if this be not sufficient, other means may be found of providing the remainder of the sum necessary to establish a resident clergyman in every considerable parish. (See Second Report of Church Commissioners, p. 15.)

But, while so many parishes are unprovided with the means of religious instruction, it appears that there are in the establishment no fewer than 70 sinecure rectories. Of these, nearly half are in the patronage of the Crown, or of ecclesiastical corporations; and these, the Commissioners propose should be suppressed, and their revenues applied to the making more effectual provision for the cure of souls.

A person may cease to be a parson or vicar, 1.—By death. 2.—By cession on taking another benefice; for by the act 21 Hen. 8. cap. 13., if any one having a benefice of 8*l.* per annum or upwards (according to the valuation in the King's books) accept any other, the first shall be adjudged void, unless he obtain a dispensation, which no one is entitled to have but the chaplains of the King and others therein mentioned, the brethren and sons of lords and knights, and doctors and bachelors of divinity and law, admitted by the universities; a vacancy thus made for want of a dispensation, is called cession. 3. — By consecration; for, as previously mentioned, when a clerk is promoted to a bishopric, all his other preferments become void. There is, however, a method, by the favour of the Crown, of holding such livings *in commendam*. *Commenda*, or *ecclesia commendata*, is a living commended by the Crown to the care of a clerk to hold till a proper pastor be provided for it. This may be temporary for one, two, or three years, or perpetual; being a kind of dispensation to avoid the vacancy of the living, and is called a *commenda retinere*. There is also a *commenda recipere*, which is to take a benefice *de novo*, in the bishop's own gift, or the gift of some other patron; and this is the same to him as institution and induction are to another clerk. 4. — By resignation. But this is of no avail till accepted by the ordinary, into whose hands the resignation must be made. 5. — By deprivation; either, first, by sentence declaratory in the ecclesiastical courts, for fit and sufficient causes allowed by the common law, such as attainder of treason or felony, or con-

viction of other infamous crime in the King's courts; for heresy, infidelity, gross immorality, and the like: or, secondly, in pursuance of divers penal statutes, which declare the benefice void for some nonfeasance or neglect; or else, some malfeasance or crime, as for simony, for maintaining any doctrine in derogation of the King's supremacy or the Thirty-nine Articles, or of the Book of Common Prayer; for neglecting after institution to read the liturgy and articles in the church, or make the declarations against popery, or take the abjuration oath; for using any other form of prayer than the liturgy of the Church of England; or, for absenting himself sixty days in one year from a benefice belonging to a popish patron, to which the clerk was presented by either of the universities; in all which and similar cases the benefice is *ipso facto* void, without any formal sentence of deprivation. — (*Blackstone*, Book I. cap. 11.) And by the act 57 Geo. 3. c. 99., if a benefice be under sequestration for two years for nonresidence, it may be declared void by the bishop.

Curates. — Curates are the lowest order of the clergy. They are either perpetual or stipendiary; and are appointed to their cures by mere nomination in writing. They must, however, be in orders and licensed by the bishop of the diocese. It is necessary for them to take, for the most part the same oaths, and to make the same declarations, on being appointed to their curacies, as rectors and vicars on admission to their benefices. Stipendiary curates are such as are appointed by the non-resident, and indeed in some cases by the resident, incumbents, to officiate at their parish churches in their stead; and their duties consequently are much the same. As their name implies, stipendiary curates are paid by a salary allowed by the person appointing them, which, by the 57 Geo. 3. c. 99., is in no case to be less than 80*l.* per annum; and where the population of the parish amounts to 500, 150*l.*; provided the income of the benefice itself amounts to that sum, and the incumbent was admitted after 20th July, 1813. The bishop, however, may dispense with salaries of that amount, should circumstances render it advisable. It is the duty of the bishop to see that all churches are duly served within his diocese; and if a curate be not appointed, he may appoint one, or compel the incumbent to do so by the provisions of this act. Perpetual curates are such as are appointed to the churches of those parishes, in which, as already mentioned, the tithes were appropriated to some monastery before the stat. 4 Hen. 4., making it necessary to endow a vicar, or which had from some cause or other escaped its operation; or, they are such as officiate in some chapel. Chapels are of three kinds: — 1., chapels of ease. 2., parochial or district chapels; and 3., free chapels. Chapels of ease and parochial chapels are those in which divine service is performed for the convenience of the inhabitants of some particular hamlet within a parish at a distance from the parish church. The only difference between them seems to be that the latter perform some of the rites more particularly belonging to a parish church, being allowed a font, sacraments, and burials, whence their name parochial, while such as are strictly chapels of ease can perform the divine service only. In both, however, it is usual for a reservation to be made for the inhabitants of the township which has the chapel, to contribute to the repairs of the parish church, in order to preserve the subordination. When parishes have been

united in consequence of their poverty, or from other reasons, the church of one only of the united parishes thenceforth becomes the mother church of the whole union: the others may be considered as perpetual curacies. In these the curates are usually paid by some fixed payment, or by a portion of the tithes appropriated for their maintenance at the foundation of the chapel. Curates, however, with exception of these, who appear even after the union to retain the corporate character, of the previous rector or vicar, and curates of such chapels as have been augmented by Queen Anne's bounty, have no corporate character, and, in consequence, have not, like an ecclesiastical rector and vicar, any freehold interest in their endowments. To erect a chapel, the consent of the ordinary, the patron, and incumbent of the living in which it is erected, is necessary. The nomination of the curate belongs, of common right, to the incumbent of the mother church; but this, of course, may be otherwise stipulated for on the foundation. Free chapels are said to be such as have been raised for the King's private use, at his country residences; and are so called from being in general exempted from the jurisdiction of the ordinary, though in some spiritual matters, as in the appointment of curates to serve in them, they are by act of parliament subject to his regulations.

Incomes of the Clergy.—A great many conflicting statements have been put forth, and much misrepresentation indulged in, with respect to the income of the clergy. But the truth has at length been ascertained, by means of the investigations set on foot by the Commissioners for inquiring into Ecclesiastical Revenues. Returns have been obtained through their intervention from nearly all the benefices in England and Wales, showing the gross and nett income of each, at an average of the three years ending with 1831; and showing, farther, the names of the incumbent and patron, the number of churches and chapels, and the extent of church accommodation, in each benefice, the number of curates employed, and the stipends paid to each, with a variety of other particulars. These returns, with those relating to bishoprics, deans and chapters, make a large folio volume of about 1,000 pages. The following table contains a summary view of the number and incomes of the incumbents and curates in each diocese: — (See Table next page.)

The Classification of the Incomes of the Incumbents is as follows: —

Incomes.	Benefices.	Incomes.	Benefices.
£		£	
Under - 50	297	400 and under 500	830
50*l.* and under 100	1,629	500 — 750	954
100 — 150	1,602	750 — 1,000	323
150 — 200	1,354	1,000 — 1,500	134
200 — 300	1,979	1,500 — 2,000	32
300 — 480	1,326	2,000 and upwards.	18*

* There are only two livings of 4,000*l.* a year and upwards — the rectory of Stanhope, in Northumberland, of the nett annual value of 4,843*l.*; and the rectory of Doddington in the county of Cambridge, of the nett annual value of 7,306*l.* There are only three livings worth from 3,000*l.* to 4,000*l.* a year.

Table of Benefices, exhibiting the gross and nett Incomes of the Incumbents in each Diocese, with the Number of Curates, and their average Stipends, &c.

Dioceses.	Number of Benefices in each Diocese returned to the Commissioners, including sinecure Rectories, but exclusive of Benefices annexed to other Preferments.	Aggregate Amount of the Gross Incomes of Incumbents in each Diocese exclusive, as before mentioned.	Average Gross Income.	Aggregate Amount of the Nett Incomes of Incumbents in each Diocese, exclusive, as before mentioned.	Average Nett Income.	Number of Curates in each Diocese.	Amount of Stipends of Curates in each Diocese.	Average of Stipends.	Number of Benefices in each Diocese not returned to the Commissioners.
		L.	*L.*	*L.*	*L.*		*L.*	*L.*	
St. Asaph	143	42,592	297	38,840	271	43	3,564	82	2
Bangor	123	35,064	285	31,061	252	61	4,723	77	
Bath and Wells	430	120,510	281	109,397	256	229	18,578	81	13
Bristol	253	77,056	304	71,392	282	153	10,668	80	5
Canterbury	316	123,946	358	110,050	318	174	14,656	84	2
Carlisle	124	22,457	181	21,777	175	44	3,684	83	3
Chester	630	169,195	269	159,372	252	266	23,239	87	4
Chichester	267	82,673	309	75,522	282	121	9,440	78	2
St. David's	409	60,653	148	56,317	137	206	11,464	55	7
Durham	192	74,457	387	67,639	352	100	8,556	85	2
Ely	150	56,156	376	53,000	353	75	6,583	87	2
Exeter	613	191,181	316	174,875	284	325	28,759	89	16
Gloucester	283	81,552	288	77,429	273	142	11,405	80	3
Hereford	321	93,552	291	87,987	274	159	13,035	81	7
Lichfield and Coventry	610	170,104	278	159,073	260	307	24,948	81	5
Lincoln	1,215	373,676	298	338,073	286	629	48,347	77	18
Llandaff	192	36,347	189	34,077	177	113	6,749	59	
London	640	267,742	418	255,509	399	352	35,118	99	2
Norwich	1,026	351,750	323	321,823	313	522	38,510	73	37
Oxford	196	51,395	262	49,088	250	103	8,054	78	8
Peterborough	293	98,381	335	93,652	319	138	11,266	81	6
Rochester	94	44,565	474	39,007	414	60	6,551	109	2
Salisbury	398	134,255	337	127,459	320	223	15,174	81	11
Winchester	419	153,995	367	143,614	342	202	19,858	98	7
Worcester	243	73,255	298	69,655	312	110	9,002	81	3
York	891	223,290	250	216,005	242	391	29,553	75	12
Sodor and Man	23	3,727	162	3,623	157	3	211	70	
Totals	10,540	3,197,225		3,004,721		5,230	424,695		178
Averages			303		285			81	

The Commissioners have themselves stated some of the principal results of their inquiries as follows:—

"From the returns to our inquiries, arranged and digested in the tabular statements before mentioned, it appears that the total amount of the gross annual revenues of the several archiepiscopal and episcopal sees in England and Wales is 181,631*l.*, affording an average of 6,727*l.*; and the total amount of the nett annual revenues of the same is 160,292*l.*, affording an average of 5,936*l.*

"The total amount of the gross annual revenues of the several cathedral and collegiate churches in England and Wales is 284,241*l.*, and the total amount of the nett annual revenues of the same is 208,289*l.*

"The total amount of the gross annual separate revenues of the several dignitaries and other spiritual persons, members of the cathedral and collegiate churches in England and Wales, is 75,854*l.*; and the total amount of the nett annual separate revenues of the same is 66,465*l.*

"The total number of benefices, with and without cure of souls, the incumbents whereof have made returns to our inquiries, omitting those which are permanently or accustomably annexed to superior preferments, and which are included in the statements respecting those preferments, is 10,540. The total amount of the gross annual revenues of these benefices is 3,197,225*l.*, giving an average income of 303*l.*; and the total amount of the nett annual revenues of the same is 3,004,721*l.*, giving an average income of 285*l.*

"The total number of benefices, with and without cure of souls, in England and Wales, including those not returned to us, but exclusive of those annexed to other preferments (about 24 in number), is 10,718; the total gross income of which, calculated upon the average of those returned, will be 3,251,159*l.*, and the total nett income thereof will be 3,055,451*l.*

"The total number of curates returned to us as employed by resident incumbents is 1,006, whose annual stipends or payments in money amount to 87,075*l.*, affording an average of 86*l.* Those employed by non-resident incumbents are 4,224; the amount of their stipends 337,620*l.*, and the average 79*l.* And the average of the whole of the curates' stipends is 81*l.*"

Churchwardens. — These are the guardians or keepers of the church, and representatives of the body of the parish. They are sometimes appointed by the minister, sometimes by the parish, sometimes by both together, as custom directs. They are taken in favour of the church, to be for some purposes a kind of corporation at common law; that is, they are enabled by that name to have a property in goods and chattels, and to bring actions for them, for the use and profit of the parish. Yet they may not waste the church goods, but may be removed by the parish, and then called to account by action. There is, however, no method of effecting this, without first removing them, as it cannot legally be done except by those who are put in their place. They have no sort of interest in lands or other real property, as the church, church-yard, &c.; but if these be damaged, the parson or vicar has an action. The churchwardens repair the church, and make rates and levies for that purpose, with consent of the parishioners, unless, indeed, the latter neglect or refuse to attend the meeting when the assessment is imposed. These rates are recoverable only in the ecclesiastical courts; or before justices of the peace when the sum payable is under 10*l.* (53 Geo. 3.)

Parish Clerks and Sextons. — Parish clerks and sextons are regarded by the common law as persons who have freeholds in their offices, and therefore, though they may be punished, they cannot be deprived, by ecclesiastical censures. The parish clerk was formerly very frequently in holy orders, and some are so at present. He is generally appointed by the incumbent, but by custom may be chosen by the inhabitants; and if such custom appear, the Court of King's Bench will grant a *mandamus* to the archdeacon to swear him in; for the establishment of the custom turns it into a temporal or civil right.

Deficiency of Church Accommodation. — Nothing, according to the Ecclesiastical Commissioners, has done so much "to cripple the energies of the established church, and circumscribe its usefulness, as the want of churches and ministers in the large towns and populous districts of the kingdom. The growth of the population has been so rapid as to outrun the means possessed by the establishment of meeting its spiritual wants; and the result has been that a vast proportion of the people are left destitute of the opportunities of public worship and Christian instruction, even when every allowance is made for the exertions of those religious bodies which are not in connection with the established church." (Second Report, p. 6.)

The Commissioners subjoin some details illustrative of this statement, and showing the efforts that have been made by the public, and by private associations and individuals, for obviating the evil. But, according to them, "all that has hitherto been done in this way falls very far short of the necessity of the case." They further state that the revenues of the established church, however husbanded or distributed, are quite inadequate to meet the exigencies of the case; and if so, there is, we apprehend, but little prospect of its being materially relieved: for it is not to be supposed that the Dissenters should willingly submit to be taxed for the erection and endowment of new churches; and unless they did so, the church would, it is probable, be more injured by such a tax, than by the continued existence of the present deficiencies.

Sect. II. *English Dissenters.*

In the estimation of the law all persons are regarded as dissenters whose religious principles, or modes of worship, differ in any degree from the standards of the church of England. The principal classes of dissenters are denominated methodists, independents, baptists, presbyterians, catholics, &c.; but these are subdivided into many subordinate classes, the differences between one class and another, and between certain classes and the church of England, frequently depending on minute points which it is sometimes very difficult, if not impossible, to define. The civil disabilities under which dissenters used to labour have been almost entirely obviated by the repeal of the test and corporation acts, in 1828. — (See *antè*, p. 388.)

1. *The Methodists* originated between 1730 and 1740. They are divided into two great bodies — the followers of Wesley, and the followers of Whitfield, clergymen of the church of England, and the founders of the sect. The creed of the Wesleyan methodists is Arminian, and they pretend to differ in few respects from the church of England. Wesley, indeed, always objected to his followers being classed with dissenters, and required them to attend the established church when they had no opportunity of hearing their own preachers, and there to communicate. Hence, they ought more properly, perhaps, to be called separatists than dissenters. In fact, there is a large body of people who seem to fluctuate between them and the establishment. The Wesleyan methodists are very numerous, especially among the lower classes. They are spread over the whole kingdom, but are particularly abundant in Yorkshire, Lancashire, Lincoln, and Cornwall. The religious affairs of the body are managed by a "conference," or assembly, consisting of such of their clergymen as choose to attend.

The creed of the other leading division of the methodists, or of the followers of Whitfield, is Calvinistic. They are not very numerous, except in Wales, where they are extensively spread over the country, outnumbering, in many places, the adherents of the established church.

The total number of all descriptions of methodists may, probably, amount to about 1,200,000.

2. *Independents or Congregationalists.* — This class of dissenters maintain, as their name implies, the independency of each congregation or society of

Christians, and their right to elect their clergymen, and to lay down rules as to discipline, &c., without being subject to any external control. They were established in England in the 16th century; but they subsequently underwent much persecution. At the era of the Revolution they were a comparatively small body; but they have rapidly gained ground since the middle of last century, particularly at the expense of their old enemies, the presbyterians, from whom they have drawn many recruits. This body now comprises above 1,800 congregations. Many of their churches are elegant; and not a few of their clergymen have been distinguished in the present century, as well as in former times, for their learning and ability.

3. *Baptists or Anabaptists*, are those who contend that baptism is to be administered to adults only, and that not by sprinkling, but by immersion. They are farther subdivided into several subvarieties, as *particular* or *Calvinistic*, *general* or *Arminian*, &c. They are pretty generally distributed over the whole kingdom, having in all about 1,200 congregations. The greater number of their clergymen are educated at an academy at Bristol.

4. *Presbyterians.* — These derive their name from rejecting the episcopal and independent, and adopting the presbyterian form of church government. During the civil wars they were very powerful in England; and, at one time, there appeared to be much probability that their's would be constituted the established religion of the kingdom. But having failed in effecting this, they have since gradually declined. Originally, their opinions were highly Calvinistic; but in this respect, also, they have materially varied; some congregations being Arminian, others Arian, and others Unitarian. A few presbyterian churches are in communion with, and adhere to, the standards of the church of Scotland; but, except in the northern counties, their number is inconsiderable. At the commencement of last century, the presbyterians were much more numerous than the independents; but, at present, they are said not to muster more than 200 congregations, and some of them very small.

The clergymen in and about London, of the independent, baptist, and presbyterian dissenters, are associated together in a body called the clergymen of the *three denominations*. Their meetings are held in Dr. Williams's library, in Red Cross Street. The business of the association has been long confined to the discussion of matters connected with the political condition and circumstances of the dissenters.

5. *Quakers or Friends.* — This sect is not very numerous, nor is it increasing. Quakers are principally to be found in Yorkshire, Lancashire, and Cumberland. Not a few of the wealthier individuals belonging to the sect have laid aside the peculiar dress and phraseology by which its adherents are commonly distinguished.

6. *Catholics.* — Owing to the late extensive immigration of catholics from Ireland, their numbers have rapidly increased within the present century. They are most numerous in Lancashire, particularly in Manchester and Liverpool, where they constitute a large class of the population. According to the details given in Mr. Lewis's valuable Report on the state of the Irish poor in Great Britain, there were in Liverpool, in 1800, 4,950 Irish catholics; in 1820, 11,016; and in 1833, no fewer than 24,156! The Irish catholics in

Manchester, in 1833, were estimated at about 30,000. In Birmingham, in the same year, they amounted to between 5,000 and 6,000. The number of Irish catholics in London has been said to be as great as in Liverpool or Manchester; but we are not aware of the data on which this estimate has been made. — (*Report on the Irish Poor*, p. 7.) The English catholics are most numerous in Lancashire, Yorkshire, Staffordshire, and Warwickshire; and are pretty widely diffused over Northumberland and Durham, some of the principal families of which belong to their communion.

7. *Jews* are to be found in most large towns in England; but by far the greatest number are resident in London. Their total number may be estimated at from 12,000 to 14,000. — (*Encyc. Britannica*, art. JEWS.)

Exclusive of the above there are a great variety of other sects; but most of them have but few adherents.

Number of Dissenters. — There are not, we regret to say, any materials in existence by which to frame any tolerably accurate estimate of the number of dissenters. The *Congregational Magazine*, for January, 1836, contains a table, which appears to have been compiled with much care, of the number of congregations belonging to the leading classes of dissenters in the different counties of England and in Wales, with the population, and the number of places of worship belonging to the established church. We subjoin this table: —

Table exhibiting the Population of each County of England and Wales, in 1831, the Number of Dissenting Congregations in each, and the Number of Congregations belonging to the Established Church.

Counties.	Population.	Number of dissenting Congregations in each County.									Total Dissenters.	Episcopalians.
		Roman Catholic.	Presbyterian.	Independent.	Baptist.	Calvinistic Methodist.	Wesleyan Methodist.	Other Methodist.	Quaker.	Home Missionary and other Stations.		
Bedfordshire	95,483	1	—	9	26	—	35	1	4	—	76	127
Berkshire	145,389	6	1	17	17	7	34	—	6	—	88	160
Buckinghamshire	146,529	1	—	22	36	1	25	—	8	33	126	214
Cambridgeshire	143,955	1	1	22	32	1	29	1	3	—	90	174
Cheshire	334,391	7	4	31	7	8	48	30	6	—	141	142
Cornwall	302,440	2	2	31	16	3	219	39	10	—	322	221
Cumberland	169,681	6	—	18	1	1	32	11	22	38	129	145
Derbyshire	237,170	7	3	39	21	3	84	22	5	—	184	176
Devonshire	494,478	5	5	63	44	5	93	18	6	28	270	490
Dorsetshire	159,252	8	4	29	7	—	21	22	5	37	133	263
Durham	253,910	15	17	14	10	—	72	28	7	37	200	112
Essex	317,507	5	1	68	34	1	35	1	20	—	165	402
Gloucestershire	387,019	7	1	31	38	11	51	7	13	—	159	372
Hampshire	314,280	15	4	48	37	6	26	—	5	—	141	320
Herefordshire	111,211	4	—	11	14	1	16	—	4	15	65	217
Hertfordshire	143,341	1	1	25	16	4	2	—	12	—	61	131
Huntingdonshire	53,192	—	—	9	13	1	8	—	3	—	34	97
Kent	479,655	5	7	53	39	15	90	—	9	47	265	421
Lancashire	1,336,854	86	21	100	40	9	154	80	25	66	581	292
Leicestershire	197,003	6	3	29	38	—	68	13	4	—	161	254
Lincolnshire	317,465	11	5	19	35	2	214	24	9	—	314	607
London and Middlesex	1,358,300	26	12	103	65	22	59	7	12	—	306	246
Monmouthshire	98,130	7	—	37	36	—	10	—	3	—	93	133
Norfolk	390,054	8	4	34	40	1	74	24	13	8	206	699
Northamptonshire	179,336	—	1	36	41	—	61	7	7	8	161	295
Northumberland	222,912	18	50	10	4	—	29	22	4	—	137	105
Nottinghamshire	225,327	3	2	19	17	—	77	41	3	—	162	216
Oxfordshire	152,126	7	—	17	14	—	43	2	10	6	99	242
Rutland	19,345	—	—	4	2	—	7	—	1	—	14	50
Shropshire	222,938	7	1	32	17	1	31	18	3	54	164	224
Somersetshire	404,200	10	6	68	48	6	94	20	17	12	281	494
Staffordshire	410,512	26	—	32	19	—	82	41	6	5	211	235
Suffolk	296,317	5	2	35	39	1	40	—	10	—	132	501
Surrey	486,334	2	1	31	16	4	—	1	10	29	94	159
Sussex	272,340	7	7	41	12	6	20	—	5	—	98	322
Warwickshire	336,610	15	5	39	29	2	18	2	12	15	137	217
Westmoreland	55,031	2	1	9	1	—	13	1	11	—	38	67
Wiltshire	240,156	3	1	51	37	1	37	—	3	5	138	314
Worcestershire	211,565	11	3	10	21	3	24	21	7	—	100	201
Yorkshire	1,371,359	51	9	170	63	1	532	147	64	10	1,047	760
Wales, North and South	806,182	6	14	374	159	300	214	15	9	—	1,091	998
England and Wales	13,897,187	416	197	1,840	1,201	427	2,818	666	396	453	8,44	11,825

Supposing this table to be nearly accurate, it shows that the dissenting congregations are, to those belonging to the church, as 84 to 118, or as 42 to 59. But we should err egregiously if we imagined that the number of individuals belonging to the dissenters and the church were in any thing like this proportion. Generally speaking the dissenters, particularly the methodists, are much more strict and regular in their attendance at divine service than the members of the established church. The latter, indeed, include a large class, partly consisting of the upper and partly of the lower and middle orders, who are but little scrupulous in their observance of the ordinances of religion. Many, too, of the dissenting congregations are extremely limited; and, though some of them are numerous, yet, at an average, they are small compared with those belonging to the church. On the whole, we incline to think, that the entire number of dissenters in England and Wales does not exceed 2,700,000, or, at most, 3,000,000, of whom from 500,000 to 600,000 may be catholics.

Sect. III. *Church or Kirk of Scotland.*

History of Presbytery in Scotland.—The reformation from popery began at an early period in Scotland, but made little progress till the time of John Knox, who commenced his career as a reformer in 1542: he died in 1572. On the 24th of August, 1560, popery was abolished in Scotland, and the protestant religion established by act of parliament. At this time it was necessary for the reformers to substitute a new system of ecclesiastical polity in room of that which had been abolished. Knox had studied under Calvin at Geneva; and hence the Genevan or *presbyterian* form of ecclesiastical polity was introduced and established in Scotland. This system was embodied in a work, now entitled, *The first Book of Discipline, or the Policy and Discipline of the Church*, and was laid before parliament in 1560 as a necessary accompaniment to the legal constitution of the reformed national church; but though not formally ratified by the legislature, it was subscribed by a great many of its members: while others of them denominated it "a devout imagination." It was submitted, in the same year, to the general assembly of the church (of the constitution of which we shall soon speak) at Edinburgh, by which it was approved. But, though parliament did not ratify the ecclesiastical system of polity contained in *The first Book of Discipline*, it accepted and confirmed the *confession of faith* drawn up by the protestant ministers, the object of which was not so much to establish the reformed doctrines, as to abjure popery; and hence it is called the *negative confession*. Another *confession of faith*, or *national covenant*, as it was called, was drawn up, ratified, and subscribed in 1580 and 1581, and on subsequent occasions.—(*Knox's History of the Reformation.—M'Crie's Life of Knox.—Peterkin's Compendium of the Laws of the Church of Scotland.*)

The question of ecclesiastical polity being still undecided by the legislature, and Episcopacy, which received the support of the sovereign, and of many of the most powerful families, and presbyterianism, which was embraced by the

great body of the people, having for some years struggled for the superiority, the presbyterians at length took matters into their own hand; and the General Assembly, in 1578, gave its sanction to what is known in history as *The second Book of Discipline, or Heads and Conclusions of the Policy of the Kirk*, which, having thus become ecclesiastical law, was engrossed as such in the registers of the Assembly, that met in 1581, and has ever since continued to form the basis of the polity of the established presbyterian church of Scotland. This Assembly first divided the country into presbyteries and synods (1581); a measure taken at the express desire of the king (afterwards James I. of England), who, harassed by the unsettled state of religion, addressed a letter to the Assembly, urging that court to adopt some form or order as to the church, which might be permanent.—(*Cook's Hist. of the Church of Scotland*, vol. 1. chap. vi.—*Calderwood's Hist. of the Church*, p. 92.)

Though the establishment of presbytery was not disagreeable to the king, it did not obtain the sanction either of the Privy Council, or Parliament; and the king himself being lukewarm in the matter, episcopacy was three years afterwards established by act of parliament; presbytery declared illegal; and the presbyterian ministers were obliged to expatriate themselves, or to submit to persecution at home.—(*Vide suprà*; also *M'Crie's Life of Melville*; and *Spottiswood's History*, book vi.)

But, though proscribed, the presbyterians made such strenuous exertions in support of their views, and so plied the king with petitions and remonstrances, that, at length, he was forced to yield. Accordingly, on the 5th of June, 1592, the presbyterian form of church government received, for the first time, the sanction of parliament, and was established by law as the national church. To remove every obstacle to the full influence of the presbyterian ministers, they were provided with manses (parsonage houses) and glebes, even at cathedral churches.—(*Calderwood*, 268—270; *Spottiswood*, 238; and *Peterkin ut suprà*.)

This act of the legislature, however, had not long passed till insidious means were adopted, both by the court and in other quarters, to undermine the established religion, and to introduce prelacy in its stead. This was ultimately accomplished in 1606 by act of parliament; from which time till 1638, when the popular voice again predominated, episcopacy prevailed; presbytery was proscribed; and its members persecuted or banished. But, in the last mentioned year, the tide of affairs turned: the General Assembly met at Glasgow, and re-established presbytery, which, two years afterwards, received the sanction both of the king (Charles I.), and of parliament.—(*Baillie's Letters and Journal*, vol. i.—*Murray's Life of Rutherford*, 29. 34. 138. 146.—*Wodrow's Hist.*, vol. i.)

Presbytery kept its ground, embracing the great body of the people, till the Restoration in 1660; when episcopacy again obtained the ascendancy, which it with difficulty maintained, and at the expense of much persecution and many martyrdoms, till the Revolution in 1688; soon after which it was abolished, and the national church of Scotland declared presbyterian,—a form which it has since retained. The statute of 1592 was taken as the model;

and the enactments that had been passed by the various General Assemblies since that period, particularly the celebrated Assembly of 1638, were confirmed: the act of William and Mary, re-establishing presbytery, passed in 1690. — (*Baillie, Cook, Wodrow, and Acts of General Assembly.*)

Standards of the Church. — In the time of Charles I., in 1643, the episcopal form of worship being regarded by the popular party in England as unsound, the celebrated Westminster assembly of divines was summoned to meet by the two houses of the English parliament, even against the express command of the king. To this Assembly, which continued its sitting for five successive years, though, nominally, it lasted for nine years, — the Scotch church sent a commission, consisting of five ministers and three elders, at the solicitation of the English parliament. To the deliberations of this Assembly the Scotch church is indebted for a Directory of Public Worship, a Form of Ordination, the Larger and Shorter Catechism, and the Confession of Faith: all which were adopted by the General Assembly, and confirmed by the Scotch parliament as agreeable to the Word of God. These, though they did not continue long in force in England, are still valid in Scotland, and form the standards of the doctrine and discipline of the presbyterian church. The doctrines of that church are Calvinistic; the leading tenets being predestination, original sin, particular redemption, irresistible grace, justification by faith, and the perseverance of the saints. — We now proceed to consider the constitution and discipline of the church. — (*Confession of Faith; Acts of General Assembly;* and *Murray's Rutherford.*)

Parishes. — Every parish in Scotland enjoys the privilege of a resident clergyman; *residence* being obligatory by law so early as the year 1563. But in parishes which include burghs, and in city parishes, the church is often collegiate, that is, has the services of two clergymen, who preach alternately in the same place of worship. The number of collegiate churches is 27: the whole number of parishes is 1023; so that, including the collegiate charges, the whole number of clergymen is 1050. The number of parishes has not been invariable. Two, and sometimes three, small parishes, lying contiguous to each other, have occasionally been united into one; and new parishes, particularly in cities and the larger towns, have been erected. The number of parishes has been increased in two other ways. 1. Owing to the inconvenient extent of parishes in the highlands, and the consequent distance of many of the people from the parish church, missionaries, being first ordained as clergymen, were appointed to certain localities with the privileges *quoad spiritualia* of parochial clergymen, except that they could not be constituent members of any of the church courts, and could not even have sessions of their own. But in 1833, these localities were, by an act of the General Assembly, converted into parishes *quoad sacra*, and the clergymen were invested with all the rights and privileges of parish ministers, and declared constituent members of the ecclesiastical courts. The incomes of these clergymen differ in different places, but never exceed 100*l.*, and often do not amount to half that sum. They are paid out of a sum of 2,000*l.*, granted yearly by his Majesty, and called the "Royal Bounty." The number of these new parliamentary or government parishes, is 41.

2. From the many difficulties of erecting new parishes, means were introduced (in addition to the establishment of parliamentary churches) to supersede the necessity of such a step; and this object was accomplished by the institution of *chapels of ease*, or subsidiary places of worship, without any assigned locality. The members of such chapels (the first of which was erected in 1798) were paid out of the seat rents, — a *minimum* stipend being guaranteed to them by a bond on the part of the managers of each chapel; but though in full orders, like the parliamentary ministers, and entitled to perform every sacerdotal function, they were not entitled to have a session of their own, or to be members of any church court. These chapels amounted to 66; when, in 1834, the General Assembly conferred on them the same rights and privileges which belong to parish ministers, and appointed them a certain locality, *quoad sacra*. Since that period, and particularly of late, their number has been rapidly increasing; but the number (1023) previously mentioned, was the total amount of parishes, including the whole newly erected parishes, down to the 1st of January, 1836. The General Assembly has applied to government for endowments for the chapels already erected, and those that may hereafter be erected; but hitherto without effect. A royal commission is now sitting on the subject, and making inquiries as to the necessity for the grant. — (*Acts of General Assembly.*)

The Church Judicatories. — *The Kirk Session.* — The Kirk Session is the lowest court. It is composed of the minister of the parish, and of lay-elders. New elders are chosen by the session; but their names being read from the pulpit at least ten days before their ordination, the congregation have the power of objecting to them; and, if the objection be found valid, they cannot be inducted. An elder, on his ordination, has to declare his implicit assent to all that is contained in the Confession of Faith, and to sign the standards of the church. The minister and two elders can form a session; but the session is generally composed of a greater number of elders: a dozen is reckoned a pretty ample session. The minister is officially *moderator*, or president of the session; and a session cannot exercise any judicial function, unless the meeting have been constituted by prayer, either by the parish minister, or some other minister officiating in his room. The session takes cognisance of cases of scandal, of the poors' funds, (which in about nine tenths of the parishes of Scotland consist solely of the collections at the church doors) and general parochial ecclesiastical discipline. The duty of the elders also is to visit the sick, each in a given district of the parish. There is a power of appeal from the decisions of the session to the presbytery, the next court in dignity. — (*Principal Hill's Constitution of the Church of Scotland:* also *The Practice of the several Judicatories of the Church of Scotland* by his son, Dr. A. Hill.—*Acts of Assembly.*)

The Presbytery is composed of a number of contiguous parishes; but the number is indefinite. The largest number in any presbytery (that of Glasgow) is 36: the smallest number is 6. A presbytery consists of the ministers of all the parishes within its limits; of the professor of divinity, if there be any university within the same; and of a lay-elder from each parish. Thus, if no church be collegiate, and if there be no pro-

fessor of divinity, the number of ministers and elders in any meeting of presbytery may be equal. A moderator, who must be a clergyman, is chosen twice a year. The presbytery takes young men on trials as students of divinity, and candidates for license; ordains presentees to vacant livings; has the superintendence of religion and education within its precincts; and has the power of sitting in judgment on the conduct of any of its members, and can depose them. But its decision is not final, if an appeal be lodged to the synod. A presbytery generally meets monthly: it must necessarily meet at least twice a year. It may continue its sitting as long as necessary; and may hold *pro re nata* meetings. The number of presbyteries, at present, is 80. —(*Principal Hill ut suprà.*)

The Synod. — A synod is composed of two or more presbyteries. It consists of every parish minister within its limits, and of the elders who have last represented the different sessions in the presbytery; so that the number of ministers and elders may be equal. Neighbouring synods correspond with each other by sending a minister and elder, who form constituent members of the synod to which they are sent. At every meeting a moderator, or president who must be a clergymen, is chosen. A sermon is preached by the moderator at each opening of the synod. This court meets twice a year; but there may be, though there seldom are, *pro re nata* meetings. The number of synods is 16. — (*Hill ut suprà.*)

Synopsis of the Synods, Presbyteries, &c., of the Kirk of Scotland.

Synods.	Presbyteries.	Parishes.	Clergymen.
Synod of Lothian and Tweedale	7	120	128
Merse and Tiviotdale	6	66	66
Dumfries	5	56	56
Galloway	3	37	37
Glasgow and Ayr	8	155	159
Argyle	5	55	57
Perth and Stirling	5	89	90
Fife	4	67	72
Angus and Mearns	6	84	87
Aberdeen	8	108	109
Moray	7	56	58
Ross	3	27	27
Caithness and Sutherland	3	28	28
Glenelg	5	41	41
Orkney	3	20	21
Shetland	2	14	14
Total number - 16 Synods	80	1023	1050

The General Assembly. — This is the highest ecclesiastical court, its decisions being supreme: it meets annually in the month of May; and sits for ten successive days. But if any cases be left undecided, a commission is appointed, with power to take them up, and decide upon them. The commission is equivalent to a committee of the whole house, being composed of all the members of Assembly and one minister additional, named by the moderator. The commission also holds quarterly meetings. The Assembly, unlike the inferior courts, consists of representatives from the presbyteries,

royal burghs, and universities of Scotland, formerly from the church of Campvere (now extinct), and from the churches in the East Indies, connected with the church of Scotland, as follows: —

Eighty Presbyteries send, ministers		218
elders		94
City of Edinburgh, elders		2
Sixty-five other royal burghs,		65
University of Edinburgh, University of Glasgow, University of St. Andrews, Marischal College, Aberdeen, King's College, Aberdeen,	one minister or one elder each.	5
Churches in India, a minister and an elder		2
Campvere (now extinct)		
Total number of members,		

The proportion which the representatives of the several presbyteries in the General Assembly bear to the number of ministers within each presbytery, is as follows: — "All presbyteries consisting of 12 parishes or under, shall send two ministers and one elder; all presbyteries, consisting of 18 parishes or under, but above 12, shall send three ministers and one elder; all presbyteries, consisting of 24 parishes or under, but above 18, shall send four ministers and two elders; all presbyteries consisting of 30 ministers or under, but above 24, shall send five ministers and two elders; and all presbyteries, whose number exceeds 30, shall send six ministers and three elders." — (*Acts of Assembly*, 1694, and 1712.)

The General Assembly is honoured with the presence of a nobleman as representative of the sovereign under the title of Lord High Commissioner. This high functionary takes no part in the proceedings of the court, and has no voice in its deliberations: even his presence is not necessary. When from any cause he is unable to attend, the business of the court proceeds notwithstanding his absence. The truth is, the church has always claimed the inherent right of meeting, both in its supreme and inferior judicatories, by its own appointment; and occasions have occurred (particularly in 1638 and 1692) when, though the commissioners dissolved the Assembly, the court continued its sitting, and, by its own intrinsic power, appointed the day when the next Assembly should be held. These two rights, apparently so incompatible, of the civil and ecclesiastical authorities, have not come into collision for the last 144 years, and, under ordinary circumstances, are found sufficiently to harmonise. When, for example, the business of the Assembly is concluded, the moderator first addresses the court, and, in the name of the Lord Jesus Christ, the king and head of his church, appoints another Assembly to be held on a certain day in the following year. The Lord High Commissioner then addresses the court, and, in the name of the sovereign, appoints another Assembly to be held on the day mentioned by the moderator. — (*Hill ut suprà*, and *Acts of Assembly*.)

The Assembly chooses a new moderator yearly, who, in recent times, is always a clergyman. But at an early period, laymen (for example, George Buchanan, and Andrew Melville,) have filled the chair.—*M'Crie's Life of Knox*, vol. ii. p. 282.) A sermon is preached by the moderator before the opening of the Assembly.

Course of Study for the Church. — The course of study for the church is abundantly ample, extending to eight years at one or other of the universities of Scotland. Of this period, the first four years are devoted to literary and philosophical study, comprehending Latin and Greek, logic and metaphysics, ethics, mathematics, and natural philosophy; the other four years to Hebrew, church history, and theology, biblical, exegetical and systematic. During these last four years the students must attend both Hebrew and church history for two sessions; but theology, which cannot occupy less than four years, may be extended to five: the regular time is three full years and a partial one; but the student at his own option may take five years, that is, two full years, and three partial ones. During his theological course, exclusive of his exercises as a student of Hebrew and church history, he has to deliver to the professor of divinity five discourses; namely, an exegesis, in Latin, a homily in English, an exercise and addition, a lecture on some large portion of Scripture, and a popular sermon. — (*Dr. A. Hill's Practice*, p. 42.—*Peterkin's Supplement*, p. 60.) Before entering on his theological course, the student has to be examined, and his examination sustained, by the presbytery, within whose limits he resides: and it has been proposed to make such examination annual.

After this routine of study, which must be duly certified, the student is taken on trials by the presbytery, before which he has, in addition to the usual examination, to deliver five discourses as above, on subjects prescribed by the court. If the presbytery find him unqualified, they may reject him altogether, or appoint new trials for him, or remand him to his studies. If they sustain his trials and pass him, he obtains license as a *probationer*, or preacher of the Gospel; and thus becomes qualified to perform all the sacerdotal functions, except dispensing the two sacraments of baptism and the Lord's Supper, and celebrating marriage. He is now in a state to receive the presentation to a parish, or other benefice; on his appointment to which he receives ordination on the part of the presbytery. — (*Acts of Assembly.*)

Patronage. — Lay patronage, or the right of nominating to a vacant parish by a lay patron, has generally, though with slight modifications, been the law of the church. From 1690, however, to 1712, patronage was abolished; and the right of presentation was lodged in the heritors or landholders of parishes and the members of the kirk sessions. Patronage was revived in the year last specified; and continued uninterrupted till 1834. A slight appearance of popular rights, as to the reception or rejection of a presentee was preserved, but rather in name than in reality. After a presentation had been sustained by the presbytery, the presentee was appointed to preach in the vacant church for one or more Sundays; and a day was fixed posterior to his preaching, on which a *call* was to be given him by the people, or as the phrase is, was to be *moderated in*; notice to that effect being given from the

pulpit. At that meeting, after sermon had been preached by a member of presbytery, the parishioners were invited to subscribe a written call to the presentee to be their future minister. At one period the call was essential to a presentation, but its efficacy was gradually given up; till, at length, without any alteration being made in the law, it virtually fell into dissuetude; that is, a presentation was reckoned valid, if a single name, or perhaps not even a single name, was attached to it. This state of things, having occasioned many violent intrusions of clergymen, and given general dissatisfaction, was remedied as above hinted, in 1834; when the efficacy of the call was not only restored, but placed on a firmer foundation than ever. "If," to use the words of the Act of Assembly, "at the moderating in a call to a vacant pastoral office, the major part of the male heads of families, members of the vacant congregation, and in full communion with the church, should disapprove of the person in whose favour the call is proposed to be moderated in, such disapproval shall be reckoned sufficient ground for the presbytery rejecting such person, and he shall be rejected accordingly." The act farther declares, "that no person shall be held to be entitled to disapprove as aforesaid, who shall refuse, if required, solemnly to declare in presence of the presbytery, that he is actuated by no factious or malicious motive, but solely by a conscientious regard to the spiritual interest of himself or the congregation." This statute is known by the name of the *Veto* Act. The right of patronage, it may be observed, is private property, and may be sold or alienated like any other property. The patronage of about a third part of the parishes of Scotland is vested in the Crown.

Teinds or Tithes. — The income or stipend of the ministers of the church of Scotland, (exclusive of the ministers of the *quoad sacra* parishes already noticed,) is derived from the wreck of the tithes, or *teinds* as they are commonly called, that belonged to the Catholic hierarchy. On the Reformation, teinds and other church property suffered much dilapidation; the greater part having been seized by the nobility and higher gentry. A small portion only has since been devoted to the maintenance of religion. In 1561, by an act of the Privy Council, a third part of the ecclesiastical revenue was given to the church; but of this third, no small portion "was discharged by the queen [Mary] or bestowed in pensions on favourites of the court."—(*Connel on Teinds*, vol. i. p. 150.) The highest stipend that was given was 300 marks Scots, or about 16*l.* sterling; but the majority of ministers got only 100 marks. Various modifications and changes, none of them favourable to the clergy, — many of whom were literally starving, — afterwards took place with regard to this paltry allowance, till 1617, when the *maximum* stipend was fixed by act of parliament at 1000 marks, or 10 chalders of corn or *victual*; the *minimum* at half that amount, "except where the whole fruits of the kirk will not extend to that quantity." — (*Ib.*) But the greatest change which teinds in Scotland has undergone, took place in the reign of Charles I., who revoked the whole ecclesiastical grants, (except the church lands,) conferred by his father on his subjects. This revocation being made, though with difficulty, it was provided that the teinds, except such as were appropriated to the payment of stipend, should be valued and sold. The landholders were entitled to sue for

a valuation or *modus*, and to purchase the teinds of their own estate. The valuation was devolved on commissioners and sub-commissioners, the latter of whom itinerated. A body of commissioners was maintained for this purpose from the reign of Charles I. to the Union in 1707; at which time the Court of Session was authorised to supply their place, and to determine in all cases of valuation and sale of teinds. As the commissioners had been empowered to modify the stipends of the ministers, the same right was transferred to the Court of Session. The teinds are also appropriated to the building of parish churches and manses, and the keeping of them in repair.—(*Connel on Teinds.*)

A clergyman is entitled to apply to the Court of Session for an augmentation of his stipend, which it is competent for that court either to grant or refuse. But 20 years must elapse before such application can be renewed. On all lands not valued, the teind when valued, (which is likely to be done on an augmentation of the minister's stipend,) is fixed at the fifth part of the existing rental. The ministers of Edinburgh and Montrose are paid, not by teinds but by a local tax levied on the occupiers of houses.—(*Ib.*)

Manses and Glebes.—A minister, as previously stated, is entitled to a parsonage house, or manse, and a glebe. The statutory allowance for building a manse is 1000 marks. But generally five, and sometimes ten times that sum is given; manses being mostly built on an improved style of accommodation, and fully suitable to the income and rank of a clergyman. The *minimum* legal size of a glebe is four arable acres, with grass or pasture for a cow and two horses. But glebes are seldom, if ever, confined to that size; being generally twice or three times as large. The minister of a royal burgh possesses no legal claim to a glebe; and it is not a settled point whether he is entitled to a manse, though he frequently enjoys both; generally the latter, or a sum in lieu of it.—(*Dunlop's Parochial Law*, chap. ii.)

Income of the Clergy.—The exact income of the clergy cannot be ascertained; but a very near approximation to it may be made. Except in parishes where the teinds are exhausted, and they are paid a fixed money stipend, their income is measured by the price of corn as fixed by the *fiars* struck annually in February, and determined by the average price for the preceding three months. Stipends, consequently, oscillate in amount. At present (1836) they are low, and have been so for several years, owing to the low price of grain; we believe we are not beyond the mark in stating that, including all the incumbents in the church, their incomes, one with another, do not exceed 200*l.* a year, exclusive of manses and glebes. Stipends in country parishes, where there are unappropriated teinds, are nearly equal; but in royal burghs, or in parishes of very great population, they are higher. In several parishes the teinds have been exhausted, and are all appropriated to the incumbent, without producing an income of 150*l.* To raise them to this minimum amount, the act 50 Geo. III. set apart a sum not exceeding 10,000*l.* yearly, with a farther sum of 2,000*l.* a year to raise the stipend of such clergymen as cannot, according to law, be provided with manses and glebes, to 200*l.* The parishes so assisted are called Bounty Livings. Their number is 208; of which the highest receives from government no less than 138*l.* 3*s.* 6*d.*, that is, the teinds produce only 11*l.* 17*s.* 6*d.*; the lowest receives 11*s.* 7*d.* There are

17 parishes that receive above 100*l.*, and 37 that receive under 20*l.* — (*Record in Teind Court.—Peterkin's Supplement.*) The aggregate annual income of the church of Scotland, taking the number of incumbents at 943 (that is including the collegiate ministers, but not the ministers of the *quoad sacra* parishes,) and averaging the stipend at 200*l.* each parish, amounts to 188,600*l.*; and including the *quoad sacra* parishes, it will not much exceed 200,000*l.*

SECT. IV. *Scotch Dissenters.*

Secession Church, Origin of. — Presbytery having, as above stated, been established as the national religion, the church continued for a while cordial and harmonious. But, owing to an undue exercise of patronage, in intruding a minister on a parish (Kinross), contrary to the declared sentiments of the people, a schism began to appear in 1730. Several ministers, of whom Ralph and Ebenezer Erskine were the leaders, refused to obey the authority of the church courts, as to the induction and subsequent recognition of the intruded clergyman; and after some years of discussion, in the ecclesiastical judicatories, the pulpit and the press, eight ministers were deposed, in 1740, by the General Assembly, and their parishes declared vacant. To these ministers the name of *seceders* was given; and as most of the members of their congregations adhered to them, and others followed, they became the founders of the Secession Church in Scotland. The number of congregations and clergymen belonging to that body rapidly increased, and have continued to increase till the present day. — (*Fraser's Life of Erskine. — The Rev. John Brown's* (of Haddington) *Hist. Acc. of the Rise and Progress of the Secession.*)

Division of the Seceders into Burghers and Anti-burghers. — The seceders soon split among themselves. On admission to the privilege of a burgess in any of the royal burghs in Scotland, the following oath was required to be taken: — "I protest before God and your lordships that I profess and allow with my heart the true religion presently professed within this realm, and authorised by the laws thereof: I shall abide thereat, and defend the same, to my life's end, renouncing the Roman religion called papistry." Respecting the propriety of this oath, the ministers of the secession were divided in opinion. One party maintained that there was no inconsistency in taking it inasmuch, as they considered the established church as professing the true religion, notwithstanding the faults that attached to it, and though they had seceded from it: the other party espoused and defended the opposite opinion. A separation, in consequence, took place between them in 1747; the former party being named *burghers*; the latter *anti-burghers*. The two parties continued separate till 1821, when the burgess oath being generally dispensed with, or abolished, they again united, and assumed the denomination of the *United Associate Synod of the Secession Church*. The associate synod now comprises 19 presbyteries, composed of 324 congregations, with an equal number of ministers, there being no collegiate churches belonging to the body. (*Ib.*)

Number of Seceders. — On this subject we have no statistical data for forming a correct opinion. It is supposed that, at an average, the number of members or communicants belonging to each congregation is about 350, exclusive of hearers not communicants, and the children of communicants; and that these two exceed the number of members. Each congregation may therefore be supposed to average from 700 to 750 members, &c. In other words, the united secession church, including members, hearers, and children not communicants, may embrace a population of about 260,000. Some congregations —those, for example, of Broughton Place and Bristo Street chapels, Edinburgh — consist of no fewer than 1,200 members, exclusive of hearers and children not communicants: and there are some congregations that are even larger. Others, particularly those in an incipient state, do not exceed 100; but there are few so small. The synod has recently issued a schedule, addressed to all its members, requiring information on these and other points. In addition to the 324 congregations previously mentioned, the Secession Church maintains, at its own expense, no fewer than 50 missionary stations throughout Scotland, which are supplied with sermons either every Sunday, or twice or thrice monthly; the number of such stations has hitherto been annually increasing. Including the numbers that attend these sermons, the aggregate number of persons belonging to the United Associate Synod cannot be under 300,000. The synod also devotes no inconsiderable portion of their funds (all raised by subscription or church collections "for religious purposes,") to the propagation of the Gospel in foreign parts. In addition to contributions to this fund, many congregations, particularly in the larger towns, (that of Broughton Place Chapel, Edinburgh, for example,) support one or more local missionaries at their own expense. Of the exertions made by this numerous and respectable body of Christians in support of schools, we shall speak under the proper head. — (*Report of the Fund of the United Associate Synod*, 1835.)

Constitution, &c. — The exposition previously given of the presbyterian polity applies to the associate synod. They have lay-elders, kirk sessions, and presbyteries; but, instead of a general assembly, they meet in synod twice a year, the synod being their supreme court. They abjure patronage: their ministers are chosen by the communicants of each congregation. They have the same confession of faith, and the same standards as the established church: they differ, in truth, from that church chiefly on the question of patronage, and are, generally speaking, stricter presbyterians and more rigid in discipline: they disallow any connection of ecclesiastical with civil rights, as Erastian and unscriptural.

Course of Study for the Ministry. — The course of study in the secession church is very nearly the same as that adopted by the establishment. A student, previously to his being taken on trial for admission to the theological seminary, requires to have gone through the same curriculum of study as has been already described. The only exception is, that the study of natural philosophy may be deferred till after commencing the study of divinity, but the student must produce the certificate of the professor of that science, and be examined as to his proficiency in it, before being taken on trials for license.

An examination in literature and philosophy, as well as an inquiry into religious and moral character by the presbytery, always precedes admission to theological study. All the students in divinity must be members in full communion. The secession has four professors of divinity, each giving instruction in one great department of theological science, or explanatory of the duties of the Christian ministry. 1. The professor of biblical literature, who prelects on the history, evidences, and general principles of interpretation of the sacred books, or what the Germans call *Hermeneutics*. 2. The professor of exegetical theology, who gives lectures, and conducts examinations on the more important portions of the sacred volume, — particularly on the doctrinal epistles. The course of the present professor embraces a critical exposition of the principal prophecies of the Messiah, the doctrines of Jesus Christ, and the Epistles to the Romans, Galatians, and Hebrews. 3. The professor of systematical theology. 4. The professor of pastoral theology, who instructs the students as to the best mode of conducting the duties of the Christian ministry, giving also, an abstract of ecclesiastical history. The term of study is five years: the duration of the annual session two months. The students are usually from five to six hours a day in the class-room. They are committed to the care of the professors of biblical literature and exegetical theology for the first two years; and the professors of systematic and pastoral theology for the three last years of their course. During the long vacation of 10 months, they are under the care of their respective presbyteries, who call them before them, examine them as to their progress in their studies, and hear and criticise their exercises. The course of trials and examination both on getting license and on induction to a living, is much the same as in the established church.—(*Communication from the Rev. Dr. Brown*, of Edinburgh.)

Stipends. — The stipends of the members of the secession church vary from 70*l.* a year to 450*l.*: most of them range from 100*l.* to 200*l.*; and we shall not be far off the mark if we take 150*l.* certainly not less than 130*l.*, as the average. In the country, in addition to the stipend, the minister is generally furnished with a dwelling house. None of the ministers have, or ever had, a legal bond securing their incomes.—(*Ib.*)

Original Burgher Associate Synod. — When the burghers and anti-burghers united, several congregations of the former declined the coalition. These extend, at present, to four presbyteries, including 44 congregations. They have a professor of divinity for themselves; and in all their leading principles are identical with the United Associate Synod, of which we have now given an account.—(*The Rev John Brown's Hist. of the Secession.*)

Associate Synod of Original Seceders. — This body separated from the burgher denomination in 1806, in consequence of the opinions held by the latter respecting the total independence and incompatibility of the religious and civil authorities. The former recognise the validity of the connection between civil and ecclesiastical matters, — are in favour of a national church, — and on the occasion referred to, wished the Burgher Synod to publish a *testimony* suitable to the agitated state of the times. To this proposal the Burgher Association declined to accede: and hence the minority withdrew

from all connection with them, and formed themselves into a presbytery separate and distinct from their former associates, called, at first, *The Constitutional Associate Presbytery*, but afterwards *The Associate Synod of Original Seceders*. This body now extends to four presbyteries, embracing 33 congregations: they have a professor of divinity of their own; but in all other respects with the distinctive exception above stated as to the exercise of civil jurisdiction *circa sacra*, they are identical with the synod from which they withdrew.—(*M'Crie's Statement of the Difference*, &c., Edin. 1807.)

Relief Synod. — The origin of this body was as follows: — In 1755, on occasion of a vacancy in the incumbency of Jedburgh, the town council and the majority of the inhabitants applied to the patron for a presentation in favour of Mr. Boston, minister of Oxnam, to be their pastor. This application was unsuccessful; in consequence of which the parties in question and the people generally invited Mr. Boston to be their minister; and bound themselves to pay him a stipend of 120*l.* per annum. This invitation he accepted; and having afterwards (1758,) been deposed by the General Assembly, he, with Mr. Gillespie, who had also been deposed for disobedience to the orders of the General Assembly, united, and founded the *Relief* church; professing to differ from the established church on no point other than the right of patrons to appoint ministers against the inclinations of the people. The Relief Synod rapidly increased; and now comprehends 10 presbyteries including 107 congregations; being, in point of numbers and influence, next to the United Secession Church. Indeed, these two bodies (the Secession and the Relief,) are at present engaged (1836) in making overtures to each other for forming a union of the two denominations. The Relief Synod have a professor of divinity in their own connection. (*Satist. Acc. of Scotland*, vol. i. art. JEDBURGH.)

Reformed Presbyterian Synod. — This is the only remaining presbyterian body in Scotland, of which an account has not been given. They are the successors and representatives of a small but interesting portion of presbyterians who would not accept the settlement of presbytery as established by law in 1690. They represent the *Covenanters* in the time of Charles I. and his son. They kept and still keep aloof from the church establishment, inasmuch as they refused to accept of any establishment of presbytery unless the king subscribed *the solemn league and covenant*, and the various standards of the church. They are also known by the names of *Cameronians* from Cameron, one of their most eminent ministers in the time of Charles II., — and *of hills-people* from the circumstance that, till within the last fifty years, they generally continued to hold public worship in the open air, in honour of their forefathers, who, in times of persecution, had been driven to the hills for safety, and there in groups heard the Gospel preached, and celebrated ordinances: they are in favour of an established national religion on the terms referred to. They are perhaps the most rigid presbyterians in Scotland. They have a professor of theology in their own communion. Their synod comprehends five presbyteries, embracing 33 congregations.

All the Scotch Presbyterians are Calvinists. — All these various bodies of presbyterians, of which we have given an account, are Calvinists, recognise

the same confession of faith, and the same standards; and differ only on points of discipline, chiefly that of patronage, their religious tenets being identical.

Scotch Episcopal Church. — Though episcopacy was, at various periods, the established religion of Scotland, the number of episcopalians is not at present large: they extend to five dioceses, including 72 chapels, of which two are collegiate; some of these congregations being small, and supported not so much by numbers as by some wealthy families in the several localities. Of their five prelates, the bishop of Brechin is the primate. They have a theological institution at Edinburgh for the education of young men for the ministry. They adhere to the standards of the episcopal church of England, but have otherwise no connection with, and are independent of, that church. There are four episcopal chapels in Scotland, (in Perth, Montrose, and Aberdeen) not connected with the Scotch episcopal churches. — (*Keith's Scottish Bishops*, edited by Russell.)

Independent Churches. — The independents, or *Congregational Union of Scotland*, extend to 88 congregations; but of these some are very small. A meeting of the Union takes place once a year in Edinburgh; when a deputation of ministers from the Congregational Union of England usually attends. The independents generally are Calvinists.

Other Religious Sects. — There are various other religious sects in Scotland, namely, baptists, methodists, both Wesleyan and primitive, quakers, Bereans, Glassites, or Sandemanians, Unitarians, new Jerusalemites, Jews, &c. A sect has recently sprung up, named *Rowites*, from the Rev. Mr. Campbell, minister of the parish of Row, in Dumbartonshire, its founder, who was deposed for heresy by the General Assembly in 1832. Rowism in Scotland is somewhat akin to what is known as *Irvingism* in England. The Rowites assign great dignity and impute extraordinary influence to the Holy Spirit; and have laid claim, in some instances, to miraculous powers and to the gift of tongues. But their tenets have never been properly defined or formed into a regular system, nor have they gained many proselytes.

Roman Catholics. — *Extent of the Roman Catholic religion.* — The Roman Catholic religion still prevails in Scotland to no inconsiderable extent. There are many places, such as some districts in the western highlands, and some of the western islands, where this religion has prevailed from the most remote times; and there are many old families throughout all parts of the country that still, in the midst of protestantism, adhere to the faith handed down to them by their forefathers. Recently the great influx and settlement of Irish poor has prodigiously increased the number of Catholics. The last bishop of the ancient Catholic hierarchy (James Beaton,) died in 1603; and it was not till 1694, in the reign of William and Mary, that the pope appointed another bishop with the powers of Vicar Apostolic over the Scotch Catholic church. Since that time there has been a regular succession of prelates. Scotland is at present divided in three dioceses with a bishop to each: the eastern district, the western district, and the northern district. The eastern district contains 12 chapels with 15 clergymen: the western district 20 chapels with 27 clergymen: the northern district 23 chapels with 24 clergymen, making alto-

gether 55 stated places of worship and 66 clergymen. But this statement communicates very inaccurate ideas as to the aggregate number of the Catholics, inasmuch as the priest of each chapel has the superintendence of a large district of country, often 50 miles in extent, with subordinate places of worship. Almost every priest, indeed, may be said to itinerate.—(*Catholic Directory for Scotland*, 1836.) It is supposed that the whole Catholic population of Scotland is not less than 140,000, including the children of Catholic parents. The Catholics in Glasgow alone amount to 35,000; in Edinburgh to 12,000. Of the income of the Catholic clergymen, it is impossible to give an account. They have no fixed incomes: whatever these may be in amount, they are derived solely from the contributions of their flocks.

Education.—After the Reformation, the Catholics destined for the church were compelled, owing to the severity of the penal laws, to seek education in foreign parts. For this purpose means were obtained to form small seminaries at Paris, Douay, Valladolid, Rome, and Ratisbon: from all which the Scotch Catholic church still derives some benefit. There are, for example, funds sufficient at this moment at Paris to maintain 18 youths during their course of education. But within the last hundred years Catholic seminaries have been established in Scotland: of these the chief, till recently, were those of Lismore and Aquhorties. The only seminary that they now have is St. Mary's College, Blairs, Kincardineshire. The plan of education comprises, along with the more elementary branches, Latin, Greek, French,—and Italian, and Spanish if required; poetry, rhetoric, mathematics, philosophy in all its branches, and divinity. The seminary has a president, two professors, and a procurator. Students are received from eleven to sixteen years of age. The students intended for the church are maintained and educated *gratis* after the first year. But in the case of young men studying for the church, the seminary at Blairs is, in the majority of instances, used only as initiatory; the student going abroad to complete his education. A convent (St. Margaret's,) was established in 1835 within a mile of Edinburgh; the object of which is to promote the education of young ladies—particularly those of the higher classes,—and the relief of the destitute and the sick. Of the ladies or nuns, the majority are foreigners; the rest Scotch. In connection with the convent, a separate residence, with a charity school and dispensary annexed, has been provided in the Canongate, a suburb of Edinburgh.—(*Catholic Directory, ut suprà.*)

Summary of the Religious State of Scotland.

	No. of Congregations.	No. of Churches.
Established Church	-	1023
United Associate Synod	324	
Original Burgher Associate Synod	44	
Associate Synod of Original Seceders	33	
Relief Synod	107	
Reformed Presbyterian Synod	33	
Number of Presbyterian congregations not belonging to the Established Church	541	

	No. of Congregations.	No. of Churches.
Brought up	541	1023
Scottish Episcopal Church	72	
Episcopal Chapels, not in connection with the Sc. Episc. Church	4	
Independents	88	
Other religious sects, (Protestants)	40	
	204	
Total number of Protestant congregations, not connected with the established church		745
Majority of the Established Church		278
Catholic Chapels		55
Majority of the Established Church over all other sects		223

But for reasons similar to those already stated, (*antè*, p. 416.) the number of churchmen, as compared with dissenters, is much greater than it would appear to be from this account of the number of congregations belonging to each. Perhaps the whole number of dissenters in Scotland, including the Relief Church, may amount to from 500,000 to 520,000.

SECT. V. *Church of Ireland.*

The Church of Ireland, like that of England, is Protestant episcopal. It was, until the passing of the Irish Church Temporalties' Bill, under the control of four archbishops, one for each of the four provinces, but named from the cities of Armagh, Dublin, Cashel, and Tuam, in which the archiepiscopal sees are situated. The Archbishop of Armagh, now universally recognised as first in rank, though his right to that station was long disputed by the Archbishop of Dublin, is styled Primate and Metropolitan of all Ireland; the Archbishop of Dublin is styled Primate and Metropolitan of Ireland; the Archbishop of Cashel, Primate and Metropolitan of Munster; and the Archbishop of Tuam, Primate and Metropolitan of Connaught. The four archiepiscopal provinces are subdivided into thirty-two dioceses, which were consolidated and united under eighteen bishops. The dioceses in Armagh province are those of Armagh, (held by the archbishop), Clogher, Meath, Down and Connor united, Derry, Raphoe, Kilmore, Dromore, and Ardagh united to Tuam. There are, therefore, seven bishops in this province, suffragan to the Archbishop of Armagh. The province of Dublin is subdivided into the dioceses of Dublin and Glandelagh united, Kildare, Ossory, and Leighlin and Ferns united. The Archbishop of Dublin has therefore three suffragan bishops under him. The province of Cashel contains the dioceses of Cashel and Emly united, Limerick united with Ardfert and Aghadoe, Waterford united with Lismore, Cork united with Ross, Cloyne, and Killaloe united with Kilfenora. The number of suffragan bishops in this province is five. The province of Tuam comprehends the dioceses of Tuam, Elphin, Clonfert united with Kilmacduagh, and Killalla united with Achonry. There are, therefore, three bishops in this province suffragan to the Archbishop of Tuam.

This arrangement has been considerably altered by the late act for regulating the established church of Ireland, according to the provisions of which, the hierarchy is to consist of two archbishops only: those of Armagh

and Dublin; the two others being reduced to the rank of bishops. The eighteen suffragan bishops are to be reduced by the consolidation of the dioceses to ten, five under each archbishop. The new arrangement is to be effected gradually on the demise of the several bishops whose sees are to be united to others. When completed, the ecclesiastical division of Ireland will be as follows: — Armagh province, containing the bishoprics of Meath, Derry united with Raphoe, Down united with Connor and Dromore, Kilmore united with Ardagh and Elphin, and Tuam united with Killalla and Achonry: Dublin province, containing the bishoprics of Ossory united with Leighlin and Ferns; Cashel united with Emly, Waterford, and Lismore; Cloyne united with Cork and Ross; Killaloe united with Kilfenora, Clonfert, and Kilmacduagh; and Limerick united with Ardfert and Aghadoe. The new arrangement has already taken effect with respect to the six bishoprics of Raphoe, Ossory, Waterford, Cork, Clonfert and Killalla, in consequence of the demise or translation of their respective bishops.

The income of the archbishops and bishops is derived chiefly from lands let upon lease of twenty-one years, and renewed from time to time, at the original rent, on payment of a fine on renewal, fluctuating according to the altered value of land, and the period to which the renewal is to extend. The income of the whole episcopal establishment was returned to parliament as amounting to 151,128*l.*, in 1831, which will be reduced to 82,953*l.*, under the new arrangements; leaving a balance of 68,175*l.*, for the general purposes of ecclesiastical discipline and education. The management of the fund thus created is entrusted to a board of commissioners, upon whom the receipt of the incomes devolves on the lapse of the extinguished sees. The Crown has the right of nomination to all archbishoprics and bishoprics.

The ecclesiastical dignitaries subordinate to the bishops are the deans, thirty-three in number, all presentative by the Crown, except those of St. Patrick's Dublin and of Kildare, — who are elective by their respective chapters, — and of Clonmacnois, collative by the bishop of Meath. Twenty-six deans have cure of souls, and seven have not. The deans of St. Patrick's Dublin, Christ Church Dublin, St. Canice Kilkenny, and Lismore exercise peculiar jurisdictions, varying in each, within their respective deaneries. The dean is considered to be the head of the ecclesiastical corporations, called chapters, being a kind of council to aid the bishop in the government of his diocese. Three dioceses — Meath, Kilmore, and Ardagh — are without chapters; in lieu of which there is a synod consisting of all the beneficed clergymen, in which the archdeacon presides. The chapters and synods are corporate bodies, and use a common seal. The chapters are thirty in number; and though all have a general similarity of constitution, each is marked by some special peculiarity. Their component members are the precentors or chanters, originally intended to have charge over the singing men: their number is twenty-six — seventeen with cure of souls, and nine without cure: they are all appointed by their respective bishops, except the precentor of Christ Church, who is nominated by the Crown. The next members are the chancellors, who have no special duty: they are twenty-two; — fifteen having cure of souls, and seven being without cure — all appointed by the bishops, except that of Christ Church Dublin, who is nominated by the Crown. The treasurers are also twenty-two; — sixteen with cure of souls, and six without cure: the right of appointment is the same as that of the precentors and chancellors. The archdeacons are thirty-four in number — all appointed by the bishops. There are two provosts belonging to cathedral churches; but they have no official duties, cure of souls, or spiritual jurisdiction. Besides the subordinate dignitaries now recited, the chapters have other members called prebendaries, who have no spiritual jurisdiction, but take part in the performance of divine service in the cathedrals: their number is 180. There are also in twelve of the cathedral churches certain subordinate

bodies, consisting of 5 canons, 59 vicars choral, and 15 choristers, whose office is connected with the performance of the church music.

There is but one instance of a territorial exemption from episcopal jurisdiction, — the Lordship of Newry; the proprietor of which holds his spiritual court, and grants marriage licenses and probates of wills, under the seal of the religious house to which the lordship belonged before the Reformation.

The dioceses are divided into parishes which are in the spiritual charge of clergymen in full orders, called rectors and vicars. They derive their incomes chiefly from tithe; of which there are two kinds, — great and small; the former derived from corn of every kind, hay and wool; the latter from flax, hemp, garden produce, and, in some cases, potatoes; but by another and more general explanation of these terms, two thirds of the tithe of corn, hay, and wool, constitute the great tithe, and the remaining third the small tithe of a parish: the former is considered the property of the rector, the latter of the vicar. Latterly, a new order of parochial clergy has been introduced into the church, under the name of perpetual curates, who have charge of a portion of a parish specially allotted to them, the tithe of which they receive. They are not subject to the incumbent of the remaining portion of the parish, and hold their situations for life; thus differing from assistant curates, who are appointed occasionally at the will of the incumbent, from whom they receive a fixed annual salary. It appears from the late report on the Irish Church, that the number of parishes, including perpetual curacies is 2,405, of which 2,348 have provision for the cure of souls, and 57 have not, being either wholly impropriate, or tithe free. But these are not held each by a separate incumbent. On the contrary, so many of them are combined into unions, consisting of two or more parishes, that the number of incumbents amounts only to 1,385. Of these benefices, 478 are unions, and 907 single parishes. Unions are of two kinds — permanent and temporary. A permanent union may be constituted by act of parliament, by charter, by act of council, or by prescription. The temporary unions are made by the authority of the bishop, and cease on the demise of the incumbents, for whose benefit they were created. The parochial clergy derive part of their income from glebe land attached to their respective benefices. The total quantity of glebe land amounts to 91,137 acres, from which if a twentieth part be deducted as unprofitable, there will remain 86,581 acres of profitable land; which if equally apportioned among the benefices would give an average of 62 acres to each incumbent. But it is very unequally distributed, by much the greater quantity of it lying in the northern province of Armagh. Most of the glebes are furnished with manses or glebe houses, built partly by a donation of money from the board of First Fruits; partly by loan from the same source and partly at the cost of the incumbent, repayable by instalments from his successors. In cities and towns the parochial clergy are paid, in lieu of tithe, by ministers' money, which is an assessment on every house of a certain value, estimated according to the amount of rent paid.

The incomes of the parochial clergy are subject to certain deductions. These are, first fruits payments towards diocesan and parochial schools, repairs of certain parts of the churches, and repairs of glebe houses. The first fruits were designed to be the amount of the first year's income of every benefice, payable by the new incumbent in four annual instalments, and intended to be applied to ecclesiastical purposes, especially the building and repairing of churches and glebe houses, and the purchase of glebe land. But as the amount on each parish was rated according to assessments, made in the time of Henry VIII., Elizabeth, and James I., which have never since been altered, notwithstanding the extraordinary increase in the value of agricultural produce, the impost was little more than nominal, and has been suppressed by the late acts for regulating church property. The diocesan schools were to be maintained by annual contributions from the bishop and the beneficed clergy:

the particulars are specified in the statement relative to those schools. The levy drawn from this source is also little more than nominal. The parochial schools are supposed to be maintained by an annual stipend from the incumbent, which is estimated by custom at two pounds per annum. In many cases this has not been paid. Every incumbent is bound to keep his glebe house in tenantable order; to enforce which regulation, the bishop appoints a certain number of temporary officers under the name of rural deans, whose duty it is to visit the several parishes within their respective districts, and to report to him upon the state of the churches and of the glebe houses. The churches were heretofore kept in repair at the expense of the inhabitants of the parish. The new ecclesiastical regulations have transferred this duty to the ecclesiastical commissioners, who are authorised to appropriate to this purpose a sufficient portion of the incomes of the extinguished sees, and other revenues in their hands.

The total amount of the income of the various members of the Protestant episcopal church, during the three years ending with 1831, was returned to parliament as follows:—

	£
Archbishops and bishops	151,128
Deans and chapters	1,043
Economy estates of cathedrals	11,056
Other subordinate corporations	10,526
Dignities (not episcopal) and prebends, without cure of souls	34,482
Glebe lands	92,000
Tithes	555,000
Ministers' money	10,300
Total	865,535

There seem to be good grounds for thinking that the income of the archbishops and bishops given above is below the truth. It principally consists of the rent of lands let on lease, or rather on leases renewable by fine. The total extent of land belonging to the different sees has been returned to parliament, at about 670,000 (669,274) acres. Now, we have seen, in a former part of this work (Vol. i. p. 541.), that the average rental of Ireland may be estimated at about 13*s.* 6*d.* an acre; and assuming the church estates to be only of a medium quality, which they are believed to exceed, they should, on this hypothesis, be worth 452,250*l.* a year. But supposing that, owing to the defective system under which they are occupied, they only produce 6*s.* an acre; still, even at that low rate, their gross rental would amount to 201,000*l.* At all events, it is sufficiently clear that the episcopal andglebe lands, if properly managed, would afford a revenue more than sufficient toprovide for the religious instruction of the entire Protestant population of Ireland, without having recourse to the odious impost of tithes.

We also incline to think that the amount of tithe given in the above statement is considerably underrated. The reader will find in a note below a statement, given by Mr. Griffiths the engineer, to the Lords' Committee on tithe, which throws a good deal of light on this subject. It can of course, however, be regarded only as an approximation.*

* Ireland is divided into 4 archbishoprics, 23 bishoprics, 2,450 parishes; and contains 20,400,000 statute acres.
There are 1,422 beneficed clergymen; 1,539 parishes under the Composition Act, and 911 parishes not under the Composition Act.

	l.	*s.*	*d.*
Gross amount of the composition for those parishes which have compounded for tithe	442,419	0	0
Average amount of the composition for tithe in those parishes which have compounded	287	9	6
Average proportion of the composition for tithe to 1*l.* sterling in the value of the land	0	1	5¼
According to the best data I have been able to procure, and from my own knowledge of the value of the land of Ireland, I am of opinion that the gross annual value of the land of Ireland, rated at a moderate rent, may be about	12,715,578	0	0
Rating the average amount of the tithe at 1*s.* 3¼*d.* in the pound sterling of the value of the land, it would appear that the gross amount of tithe of Ireland would be	821,214	16	7
if all the lands of Ireland were liable to tithe, which is not the case; consequently the total amount is less than that sum.			
If we take the average amount of the compositions for those parishes which have compounded, and multiply that sum by 2,450, the total number of parishes in Ireland, we shall have the sum of	704,313	15	0

This is probably the nearest approximation to the true amount of the tithe of Ireland which our present data will admit of. *(7th February, 1832.)*

SECT. VI. *Irish Dissenters, Roman Catholics, Presbyterians, &c.*

1. *The Roman Catholic Church.* — The Roman Catholic hierarchy consists of four archbishops, the same in name and provincial rank as those of the Protestant Church, and twenty-three bishops. Eight of the bishops — Ardagh, Clogher, Derry, Down and Connor, Dromore, Kilmore, Meath and Raphoe — are suffragan to Armagh. Dublin has but three suffragans — Kildare and Leighlin united, Ferns and Ossory. Six are suffragan to Cashel, namely, Ardfert and Aghadoe, usually called the bishop of Kerry, Cloyne and Ross, Cork, Killaloe, Limerick, Waterford and Lismore. Tuam has four suffragans — Achonry, Clonfert, Killalla, and Galway. The bishop of the united dioceses of Kilmacduagh and Kilfenora, is alternately suffragan to the archbishops of Tuam and Cashel. The wardenship of Galway, heretofore an exempt jurisdiction, subject only to the triennial visitation of the archbishop of Tuam, has been lately erected into a bishopric under its former archiepiscopal jurisdiction. On the death of a bishop, the clergy of the diocese elect a vicar capitular, who exercises spiritual jurisdiction during the vacancy. They also nominate one of their own body, or sometimes a stranger, as successor to the vacancy, in whose favour they postulate or petition the pope. The bishops of the province also present the names of two or three eligible persons to the pope. The new bishop is generally chosen from among this latter number. But the appointment virtually rests with the cardinals who constitute the congregation *de propaganda fide*. Their nomination is submitted to the pope, by whom it is usually confirmed. In cases of old age or infirmity, the bishop nominates a coadjutor, to discharge the episcopal duties in his stead. His recommendation is almost invariably attended to. The object of his choice is appointed and consecrated, and takes his title from some oriental diocese which he relinquishes on succeeding to the diocese in which he acts. As long as he retains the oriental title, he is styled a bishop *in partibus infidelium*, or more usually, a bishop *in partibus*. The emoluments of a bishop arise from his parish, — which is generally the best in the diocese, — from licenses, and from the cathedraticum. Licenses are dispensations from the publication of banns in cases of marriage. They vary in amount from 5*s*. to 1*l*. and occasionally more, according to the circumstances of the contracting parties; and as the dislike to a previous public announcement of the marriage ceremony is very prevalent, the income from this source is considerable. The cathedraticum is an annual sum varying from 2*l*. to 10*l*., according to the value of the parish, paid by the incumbent in aid of the maintenance of the episcopal dignity.

Every diocese has a dean, appointed by the cardinal in Rome, who has the direction of ecclesiastical matters in Ireland, and is called the cardinal protector. It has also an archdeacon appointed by the bishop. Both these dignities are merely nominal without either jurisdiction or emolument.

The incumbents of parishes are appointed solely by the bishop. If regularly collated, or in peaceable possession of the benefice for three years, they cannot be dispossessed, except for misconduct; otherwise they are removable at pleasure. A collation is a written nomination by the bishop. Coadjutors, or parish curates, are also appointed by the bishop, and removable by him at pleasure. The income of the parochial clergy arises from various sources, all voluntary. The Easter and Christmas dues consist of a certain sum paid by the head of every family in consideration of the spiritual instructions given to it. In country parishes it is generally 1*s*. at each festival, but is always expected to increase in proportion to the pecuniary circumstances of the parishioner. Marriage fees are another source of income. They are generally fixed at 10*s*. 6*d*., but increase in proportion to the circumstances of the parties; and, in addition to this, a collection is often made by the friends of the young

couple, for the benefit of the officiating clergyman. The fee for baptisms is 2*s*. 6*d*. A small sum is sometimes given for visiting the sick. Masses are paid for at rates from 2*s*. upwards. The opulent parishioners also send presents of corn, hay, and other agricultural produce to their clergyman, and generally take care that his turf shall be cut, his grain reaped, and his grass mowed, without expense to himself. Stations are half-yearly meetings at places appointed by the parish priest, where he hears confessions, administers communion, and catechises. A dinner is prepared for him in every house at which he holds a station. The customary stipend of a curate is the third part of the general receipts of the parish.

Monasteries and convents are numerous. Many of these institutions derive considerable funds from voluntary donations. The nunneries are supported partly by the sums paid by those who take the vows in them, for which from 300*l*. to 400*l*. is usually given, and partly from the annual fees or pensions paid for the education of the daughters of respectable Roman Catholics. The income derived from this latter source is very considerable.

2. *Presbyterian Church*. — The general government of the Presbyterian and other Protestant dissenting churches is modelled upon that of the church of Scotland. The spiritual affairs of every congregation are superintended by a minister, aided in matters of finance and discipline by lay elders. The ministers of a certain number of neighbouring congregations form a presbytery, of which lay elders also constitute a part. Each presbytery is governed by a moderator chosen from the ministers of its congregations, who hold stated meetings four times a year. Representatives chosen by these presbyteries form the ruling body of the church. It is called the synod; its president being a minister chosen annually under the name of moderator. There are two principal synods in Ireland, — the synod of Ulster, and the seceding synod. The synod of Ulster comprises 15 presbyteries, composed of 235 congregations, comprehending 407,115 souls. The seceding synod, so called because it withdrew from the synod of Ulster on account of differences in matters of discipline, but more properly designated the Presbyterian Synod of Ireland, comprises nine presbyteries and 126 congregations. Besides these, there are the presbytery of Antrim, which differs from the preceding bodies in essential points of doctrine, containing 10 congregations; the synod of Munster, 10 congregations; and the reformed presbytery, 20 congregations.

The incomes of the ministers are derived from the voluntary contributions of their congregations, the payment of the seats or pews in their places of worship, fees incident to marriages and baptisms, and the Regium Donum. This latter is an annual grant of public money in aid of the maintenance of the Presbyterian clergy. It was instituted by King William after his arrival in Ireland, in 1690, and was placed on a more enlarged and permanent basis about the year 1790. The payments from it are made according to a threefold classification, originally arranged according to the amount of the voluntary stipend previously enjoyed by the minister; those receiving the largest voluntary stipend being placed in the first class of the Regium Donum. In the synod of Ulster, the ministers of the first class, 65 in number, receive each a stipend of 100*l*. Irish currency, from this source. Those of the second class, 70 in number, 70*l*. Irish; and those of the third class, 100 in number, 50*l*. Irish. The payments to the seceding synod are regulated according to the same principle of classification, but at lower rates of payment; the stipends being for the three classes, containing respectively 45, 73, and 8 congregations, 70*l*., 50*l*., and 40*l*. of the same currency. In cases of age or infirmity, the constituted minister appoints an assistant approved of by the congregation, whom he usually pays by allowing him that part of his stipend arising from voluntary contributions, retaining to himself the Regium Donum. The total number of Presbyterian meeting houses of every description, is 452.

3. *Numbers belonging to the different Sects in Ireland.* — Considering the atrocious nature of the penal laws by which the Catholics of Ireland were long oppressed, and that, notwithstanding their relaxation, they continued, down to a very recent period, to be regarded by those in authority as a degraded *caste* unworthy to fill any office of power or emolument, it might have been expected that their numbers would have been materially diminished, compared, at least, with the adherents of other and more favoured sects. But such has not been the case. On the contrary, the unmerited persecution to which the Catholics have been exposed seems to have attached them the more to the faith of their ancestors; and, instead of declining, they have gained ground vastly, both in absolute numbers and in relation to others. It may be truly said of Catholicism in Ireland, —

Per damna per cædes, ab ipso
Ducit opes, animumque ferro.

According to Sir William Petty, the population of Ireland, in 1676, amounted to 1,100,000, of whom 800,000 were Catholics and 300,000 Protestants.* The revolutionary struggle that soon after took place, and the migration of Catholics by which it was followed, and which was further promoted by the enactment of the penal laws, seem to have had a considerable effect on the proportion of Catholics. According to an official return made to Parliament in 1731, the population of Ireland was as follows: —

	Protestants.		Catholics.		Both.
Ulster - - -	360,630		158,028		
Leinster - -	203,087		447,916		
Munster - - -	115,180	700,451	482,044	1,309,768	2,011,219†
Connaught - -	21,604		221,780		

But, since this epoch, a very decided change has progressively taken place in the proportions of Catholics and Protestants. The increase of population in Ireland since 1780 has, as we have already seen (Vol. i. pp. 435, &c.), been more rapid than in either England or Scotland; and this increase having principally taken place in the country, the population of which was, in most parts, essentially Catholic, the adherents of the latter faith are, at present, to all descriptions of Protestants in the proportion of 4.2 to 1, and to the members of the established church as 7½ to 1!

These results have been deduced from the following table, drawn up by the Commissioners appointed to inquire into the state of Religious and other Instruction in Ireland: —

Table exhibiting the Number of Members of the Established Church, and of Roman Catholics, Presbyterians, and other Protestant Dissenters respectively in each Province of Ireland, and in the whole Kingdom, in 1834.

Ireland.	Members Estab. Church.	Roman Catholics.	Presbyterians.	Other Protestant Dissenters.	Total of all Sects.
Province of Armagh	517,722	1,955,123	638,073	15,823	3,126,741
Dublin	177,930	1,063,681	2,517	3,162	1,247,290
Cashel	111,813	2,220,340	966	2,454	2,335,573
Tuam	44,599	1,188,568	800	369	1,234,336
Total Population of Ireland	852,064	6,427,712	642,356	21,808	7,943,940

* *Political Anatomy of Ireland*, p. 114. ed. 1719.

† *Newenham on the Circumstances of Ireland*, Appendix, p. 18.

The statements now laid before the reader disclose the principal sources of those religious disputes by which Ireland has been so long agitated and disgraced. She is the only European country in which the religion of a small minority of the population has been exclusively endowed and made the state religion. This preposterous arrangement subverts every principle usually alleged in defence of an establishment. Its object, as stated by Drs. Warburton and Paley, and as implied in the very nature of the thing, is to furnish religious instruction and consolation to the bulk of the population, and especially to the lower classes, many of whom may be supposed to be so poor as to be unable to furnish it for themselves. In Ireland, however, the adherents of the Established Church do not exceed *one ninth part* of the population; and this small minority consists almost entirely of the wealthier classes, who could, without difficulty, supply themselves with religious instruction. But while we have amply and, indeed, lavishly provided for the spiritual interests of the *rich* and the *few*, we have altogether neglected those of the *poor* and the *many!* We leave the clergy of the Catholics, that is, of more than five sixths of the people, without any countenance from government, to depend for support on the voluntary contributions of their flocks, consisting for the most part of the poorest and most depressed peasantry of any in Europe. Nor is this all. The Catholic population have not merely been left to provide themselves with religious instructors, but they have actually been compelled, down to this very moment, to pay tithes, that is, to make over a tenth part of the produce of their farms and potato gardens to the established clergy, who, at the same time, possess all the estates and glebe lands that formerly belonged to the Catholic clergy! Can we wonder, under such circumstances, at the rooted dislike and hostility evinced by the Catholic population to the Established Church? They look upon it not merely as heretical, but as the badge of the conquest of their country by England, and as being bottomed on injustice and oppression. The abolition of tithe, and the reform of the Church, might lessen the dislike to it; but the grand objection to it is one of principle. So long as it exists, it must produce a sense of degradation and of unfair treatment on the one side, and of superiority and preference on the other. A majority may submit without much reluctance to see the same privileges conferred on a minority that they enjoy; but it is a contradiction and an absurdity to imagine that a decisive majority should ever willingly submit to be deprived of privileges enjoyed by a minority. A distinction of this sort is at variance with every principle on which society is founded; and, so long as it is kept up, it must necessarily be productive of the most violent animosities.

"It is ever to be remembered, in discussing the ecclesiastical state of Ireland, that the objections of the Roman Catholics to the Established Church of that country are not of *more* or *less;* that they would not be removed by the abolition of a few bishoprics, or the paring down of a few benefices; but that they lie against its very existence, — against the principle of making a public provision in Ireland for the clergy of the small minority, so long as the clergy of the large majority is left wholly destitute of aid from public funds. No improvements in the internal economy of the Established Church, in the distribution of its revenues, or the discipline of its clergy, tend to lessen the sense of grievance arising from this source: the objection is of *principle*, not of *degree;* and nothing short of perfect equality in the treatment of all religious sects will satisfy the persons whose discontent springs from this source. The effect of the preference in question is, that the whole body of Roman Catholics in Ireland are more or less alienated from the government, the author of their wrong, and are filled with jealousy and ill-will towards the more favoured Protestants. This feeling is the stronger, as the Roman Catholics are the most numerous sect in Ireland, and have, therefore, the better claim on the consideration of government. In England, where their

number is insignificant as compared with that of the entire population, they defer to those superior claims for public support which the clergy of the Established Church are so fond of resting on — the numerical preponderance of their persuasion; but in Ireland, six and a half millions out of eight millions naturally feel that they have at least as good a right as any other sect to any endowment for ecclesiastical purposes which may be at the command of the state." *

For these and other reasons that will readily occur to the reader, we are clearly of opinion that the preferences that have hitherto existed in Ireland in religious matters should be put an end to, and that *all* denominations of Christians ought to meet with equal favour and protection from the state. Consistently, with this principle, we should either endow the Catholic as well as the Protestant clergy, or we should leave the clergy of the one and the other to depend alike on the voluntary principle. If there is to be only one endowed or favoured sect in Ireland, common sense would say that the Catholic ought to have the preference. But its adherents will be satisfied if they be put on the same footing as the most favoured of the other sects; and *this much* cannot be denied them without subverting the most obvious principles of justice and of political expediency.

The absence of religious disturbances and animosities in Prussia, the United States, and in *all* countries, in short, where the adherents of different sects enjoy an equality of privileges, and their continued prevalence in Ireland, practically demonstrate the viciousness of the policy maintained in the latter. Surely, then, it is high time that an end were made of a system productive of such results; and that that equal justice were at length dealt out to all ranks and orders of the people, which Sir John Davies, more than two centuries ago, declared to be essential to the prosperity of the island. " The Irish," said he, " will gladly continue without defection, or adhering to any other lord or king, as long as they may be protected and justly governed, without oppression on the one side, or impunity on the other : for *there is no nation of people under the sunne that doth love equal and indifferent justice better than the Irish;* or will rest better satisfied with the execution thereof, although it bee against themselves; so as they may have the protection and benefit of the law, when uppon just cause they do desire it." †

* See the valuable work of G. C. Lewis, Esq., on *Disturbances in Ireland*, p. 351., &c.

† *Davies' Discoverie of the Causes why Ireland was never entirely subdued*, p. 283. ed. 1747.

PART V.

MISCELLANEOUS PARTICULARS.

CHAPTER I.—Establishments for Public Education.

Sect. I. *Education in England and Wales.*

No public or general provision has ever been made in England for the education of the great bulk of the people. — All that has been accomplished in this way has been the work of benevolent individuals and associations; and it is astonishing how much has been effected within the present century by their exertions. Still, however, there is much room for improvement. The different associations act frequently on contradictory principles; and being necessarily confined to towns and populous districts, no inconsiderable portion of the children of the agricultural classes are yet either entirely without the means of school instruction, or are but very indifferently supplied with it. Supposing, however, that charity schools were as extensively introduced as national ones ought to be, and that they were furnished with equally good masters, — neither of which suppositions is of a sort likely to be realised, — still they are not without some very weighty drawbacks. Something of degradation always attaches to the idea of being educated at a school supported either wholly or in part by voluntary subscriptions. Those who send their children to such schools, and even the children themselves, cannot but feel that they are admitted to them only because they are, in some degree, paupers, indebted to the bounty of others for what they cannot obtain for themselves; and this feeling has a tendency to weaken that sense of independence, of moral dignity, and self-respect, for the want of which the best education cannot fully compensate. In other respects, too, the charity system is open to various objections. Mr. Malthus has not scrupled to say, that it is a national disgrace to England that the education of the bulk of the people should be left to Sunday and other schools, supported by the subscriptions of individuals, who may give to the course of instruction in them whatever bias they please.* We are disposed to concur, with but little

* *Essay on Population*, 5th ed. vol. iii. p. 204.

qualification, in this opinion. The attention of the legislature cannot, as it appears to us, be too early or earnestly directed to this subject. It is of the utmost importance to the well-being and security of the public. The experience of Scotland, Prussia, the United States, and various other countries, is decisive as to the vast advantages to be derived from the establishment of a well contrived system of national education—a system that should bring education to the door, as it were, of the poor man, and supply individuals of all classes with the means of obtaining *really good and useful* instruction at a reasonable cost.

Various charity schools for the elementary instruction of the poor were founded at different periods between 1690 and 1780; but it was not till about the latter epoch that the desultory efforts of benevolent individuals began to be systematised, and that exertions were made on a large scale, to procure for the poor the inestimable advantage of elementary instruction.

At present the primary instruction of the great mass of the population is principally supplied through, 1. Sunday-schools; 2. National schools; and 3. British and foreign schools.

1. *Sunday Schools.* — These excellent institutions, which have contributed essentially to the improvement of the lower classes, were projected by, and owe their origin to, the sagacity and active benevolence of Mr. Robert Raikes, a printer of Gloucester. Mr. Raikes established Sunday schools in Gloucester in 1781 and 1782. The plan was soon after patronised by Dr. Barrington, then Bishop of Salisbury, and by many other reverend and learned individuals. Though still capable of much extension, it has been eminently successful; and has been carried to an extent which, at the outset, no one could have anticipated. The pupils are instructed in the principles and duties of religion, and are taught to read and write; they consist of adults as well as children. The meetings are generally in the afternoon of Sunday; so that, while they supply valuable instruction to the poor, they do not encroach on their employments, but make that time be devoted to the acquisition of knowledge that would otherwise be, most probably, wasted in idleness or dissipation. According to the official returns, there were in England and Wales, in 1833, no fewer than 16,828 Sunday schools, attended by 1,548,890 children and adults; of these 6,247 schools, attended by 750,107 children and adults, were established by dissenters.

2. *National Schools.* — Under this term is comprehended a great number of schools, both new and old, conducted under what is termed the national system. This system originated in the efforts of various district societies, in different parts of the kingdom, to apply the principles of Dr. Bell, of Madras, to the government of the existing parochial free schools. In 1811 the different district societies were incorporated as members of a central association, for the education of youth in the doctrines of the national church. This society having acquired large funds, has been able, in the course of the present century, to found a large number of additional schools, in which education is given at a slight expense to the parents; and a central school (such as on the Continent is termed a Normal school) for the instruction of masters and mistresses. The schools, therefore, under the management of the National Society are of two classes: the old parochial and free schools,

and those of modern foundation, consisting of daily and Sunday schools. The characteristic of the system is, the use of the church catechism, and attendance on church worship by the children. The progress of the national schools, since 1813, two years after the formation of the society, has been as follows: — 1813, 230 schools, with 40,484 children; 1820, 1,614 schools, with about 200,000 scholars; 1830, 2,609 *places*, containing 3,670 schools, with about 346,000 scholars. According to the *Annual Report* for 1835, the schools and scholars were — 3,642 *places*, containing 3,861 Sunday and daily, and 1,698 Sunday schools, with 178,740 boys, and 145,305 girls, as Sunday and daily scholars, and 93,929 boys, and 98,207 girls, as Sunday scholars only; making in all 5,559 schools, with 516,181 scholars.

The society has itself collected and expended about 120,000*l.*; and about 500,000*l.* obtained by benevolent contributions, in erecting, improving, and fitting up school-rooms, &c. — (See *Appendix B.* p. 1339, *of the Abstract of Education Returns for* 1833.)

3. *The British and Foreign School Society* was founded in 1808. It arose out of the exertions of Mr. Joseph Lancaster. It is designed to promote the education of the working classes of every sect and denomination; and to facilitate this grand object, all religious tests are excluded, and no catechism or creed is allowed to be used in any of the schools. This society maintains a considerable number of schools in all parts of the country; and has established, in the Borough, a model school, on a large scale, for the instruction of the masters. Different opinions are, of course, entertained as to the distinguishing principle on which these schools are founded; but the education they afford is favourably spoken of by good judges. Mr. Pillans of Edinburgh, an excellent authority as to such subjects, says that the instruction given in the Lancasterian schools is very superior; that "there is much more play given to the faculties, more spirit in the instruction, and a vastly greater fund of knowledge acquired," than in most other schools. — (*Report on Enucation*, 1834, p. 42.)

The following is a summary of the returns, as to education, obtained pursuant to an address of the House of Commons in 1833.

Summary of Education Returns England and Wales, 1833.

The Resident Population of England and Wales in the Year 1831 amounted to 13,897,187; which Number, at the usual Rate of Increase (1½ per Cent. per Annum), must have become 14,400,000 when the Education Inquiry was made and answered. At that time the Children under Instruction at Infant and other Daily Schools (being 1,275,947) were nearly 9 per Cent., and the Children who attended Sunday Schools (being 1,548,890) were nearly 11 per Cent. of the above Population; the Proportion of Children from Five to Fifteen Years of Age being 24 per Cent. of the entire Population, as was ascertained by Enumeration in the Year 1821.

1. Infant Schools		2,985	
In which are children from 2 to 7 years of age	males	29,543	
	females	31,069	
	sex not specified	28,393	
Total number of Children in infant schools			89,005
2. Daily Schools		35,986	
In which are children from 4 to 14 years of age	males	549,729	
	females	434,810	
	sex not specified	203,403	
Total number of children in daily schools			1,187,942
Total number of children under *daily instruction*			1,276,947
3. Sunday Schools		16,828	
In which are children and adults	males	631,638	
	females	637,101	
	sex not specified	277,151	
Total number of children and adults in sunday schools			1,548,890

	Infant Schools.		Daily Schools.		Sunday Schools.	
	Schools.	Scholars.	Schools.	Scholars.	Schools.	Scholars.
4. Maintenance of Schools: —						
By endowment	30	1,450	4,076	152,314	571	39,533
By subscription	197	13,081	2,632	165,436	15,244	1,423,377
By payments from scholars	2,550	40,721	26,791	691,728	101	5,718
By subscription and payment from scholars (combined)	408	33,753	2,487	178,464	912	80,262
Totals	2,985	89,005	35,986	1,187,942	16,828	1,548,890

	Schools.	Scholars.	
5. Religious Distinction.			
Schools established by dissenters in England and Wales { infant schools	58	4,535	51,822
daily schools	867	47,287	
sunday schools	6,247	750,107	

	Infant and Daily		Sunday	
	Schools.	Scholars.	Schools.	Scholars.
6. Schools established since the year 1818; or, more properly speaking, the increase of schools since the year 1818	19,645	671,243	11,285	1,123,397

Sending libraries of books detached to schools in England and Wales are 2,464. *

Free, or Grammar Schools. The names, free school, endowed school, grammar school, &c., are often used with some degree of confusion; but their proper meaning appears to be as follows:—A free school is, strictly, any school in which elementary instruction is afforded gratuitously (or nearly so) to the children of a particular locality, without reference to the source whence the funds are derived, whether from private subscriptions, as in many of our parochial schools, &c., or, as in some corporate towns, from the general property of the corporation. Endowed schools (or free and endowed schools) are those of which the expenses are wholly or partly defrayed out of endowments, given or bequeathed by the munificence of a founder. Grammar schools are endowed schools, to the constitution of which the founder has annexed the condition, that classical instruction should form part or in some cases the whole of their discipline.

The English free and endowed grammar schools constitute a very peculiar feature in the educational establishments of the country. They afford, perhaps, the only example at present subsisting in Europe, (unless those of Spain be excepted) of an extensive, numerous, and wealthy class of national founda-

* We give these returns as we find them without, in any degree, vouching for their authenticity. We believe, indeed, that they are but little to be depended on. The statements of the numbers attending Sunday schools and national schools, are said, by Mr. Hill, to be *very greatly exaggerated.* — (*Treatise on Education*, vol. i. p. 8.) A report by a Committee of the Statistical Society of Manchester, on the state of education in that town, points out some very gross errors in the official returns respecting it. "In the township of Manchester alone," say the Committee, "which contains a population of 142,000, there are entirely omitted, in these returns, 1 infant school, 10 Sunday schools, and 176 day schools, which existed at the period these returns were made, and contained 10,611 scholars. False returns were made by one individual of three Sunday schools that never existed at all, and which were stated to contain 1,590 scholars; and double returns were made of three other schools, containing 375 scholars; so that the total error in these returns for the township of Manchester alone was 181 schools, and 8,646 scholars. Besides this, 8 dame schools were reported as infant schools." The Committee point out some equally gross errors in the returns as to some of the places contiguous to Manchester; and we understand that these blunders are by no means confined to the returns from Lancashire.

The number of children in England and Wales between the ages of 7 and 13 years complete, may be estimated at about 2,000,000, which, of course is the maximum number of scholars that could be at school between the ages in question. But the actual number at school falls very far short of this. Provided, however, a compulsory system of education were enforced here, as in Prussia, the number of children attending school would not differ materially from the above.

tions for the purpose of elementary instruction, in which the hand of government has never interfered to modify, reform, or direct, or in any way to alter the original dispositions of their creators, except in a few insulated instances in which parliament or judicial tribunals have taken cognisance of cases brought before them.

Although some of these schools are of considerable antiquity, by far the greater part were founded during the century and a half following the Reformation. Some are of royal, but the great majority are of private endowment. Some, again, are open to scholars from all parts of England, or to any one nominated by the governors, &c., of the school: the greater part are local, and their benefits confined to the natives of the place in which they are situate. The endowments are, of course, extremely various in amount; but the general intention of the founder, even in the humblest of these institutions, was, that the education afforded to the boys on the foundation should be gratuitous, and the schoolmaster paid by a salary arising out of the endowment.

Those among the free and endowed schools which were constituted without any express stipulation on the part of the founder, that instruction in the dead languages should form a part of their discipline, have remained, for the most part, as charity or gratuitous schools of elementary education. They have in general fallen, by degrees, into what is termed the national system. But the fate of those numerous schools in which the boys were, by the original statutes, to be instructed in Latin, that is, of the grammar schools, has been very different. It is probable that the general disposition among charitable individuals, during the age which followed the Reformation, to devote their liberality to the endowment of schools, was owing to the deficiency of education felt after the suppression of the monasteries and the chantries, which were of considerable service in the instruction of the lower classes. But, before the Reformation, the number of clergy, both regular and secular, was very large: Latin was a language in ordinary use for the purposes of the church; and those who recruited its ranks were taken, not from the superior classes only, but from the mass of the population. Hence the extraordinary number of students who thronged the universities in the fourteenth and fifteenth centuries: and hence, also, elementary instruction in Latin was not thought misapplied when bestowed on the humblest youth of the kingdom. By the Reformation the use of Latin in the churches was indeed abolished; but that event happened in a scholastic age, when ancient learning was still regarded as the fundamental groundwork of all knowledge. Hence the benevolent founders of our endowed schools did not scruple in requiring that instruction in the dead languages, or at least in Latin, should be communicated in their institutions, even when open to and intended for the poorest of their townsmen and fellow-parishioners. The equalising spirit of the Roman Catholic church, under which the lowest as well as the highest were reckoned alike fit for ecclesiastical employments, had not yet become effaced in the national mind.

In process of time, however, the taste for scholastic instruction in the dead languages gradually diminished; and the fortunes of the endowed grammar schools underwent considerable vicissitudes. Those which were situated in populous and wealthy towns continued in general to maintain their importance: many, also, were preserved in consequence of their connection with the universities, and the benefits which they held out to youths proceeding thither (out of nearly 500 free and endowed schools, described by Mr. Carlisle, in his work on these institutions, about 150 have advantages annexed to them in the way of fellowships, scholarships, or exhibitions). But a great number of those situated in poorer places, being hampered by the peculiarity of their original statutes, which causes them to proffer a species of instruction for which there are no longer any candidates, have sunk into

decay. The endowments, however, still remain; and the presentation to the masterships being frequently vested by the founders' statutes in corporations, colleges, or close bodies of governors, they have, in many instances, degenerated into sinecure offices.

Of those grammar schools which have survived as extensive and frequented seminaries, several have acquired, in ordinary language, the character of public schools. This, however, is a term of very arbitrary application. Sometimes all the larger class of grammar schools, established in considerable towns, or otherwise numerously frequented, connected with the universities by endowment, and affording preparatory instruction for them, are classed together, in ordinary language, as public schools. More commonly, however, that title is restricted to a few schools which have acquired it by prescriptive usage. These are, principally, those large establishments frequented by the youth of the higher classes; together with a few of a character not equally aristocratical, but which have a peculiar claim to consideration from the great number of boys instructed in them, and the munificent scale of their foundation. They may be ranked in three classes. 1. The three great collegiate schools, two of which are of royal foundation, and one of private endowment, which custom has placed on an equal footing with them: Eton, Westminster, Winchester. 2. The great metropolitan schools: Charterhouse, St. Paul's, Merchant Taylors', Christ's Hospital. 3. A select number of grammar schools, varying according to circumstances, in which the foundation is unimportant, but which have acquired, either by a species of prescription or from the talents and popularity of individual masters, a character as preparatory schools for the universities, and are much resorted to by the wealthier classes.

Eton College, although not absolutely the oldest in point of the date of its foundation, deserves on many accounts the first mention in an account of English scholastic institutions. Not only has it been for a long period the most frequented and celebrated of our public schools, but the mode of instruction pursued at Eton, the grammars and other books used there, and its internal regulations, have been followed and borrowed by a large proportion both of the public and private classical schools of the country. It is in fact the model-school for most institutions of a similar kind with itself; and, until the present time, it has undergone less variation in the quality and character of the instruction which it professes to give than almost any other. By entering somewhat minutely into the details of its constitution, we are enabled to form a pretty correct idea of the English system of classical education, as pursued, with only a very gradual change, ever since the Reformation.

Eton College was founded by King Henry VI. in 1440, by the name of the College of the Blessed Virgin Mary beside Windsor. The parish church of Eton, then a small village adjoining Windsor, was pulled down, and a new church erected, to be both parochial and collegiate. The chapel was founded in 1441, in which year also the second charter of foundation was granted; the third and final in 1442: the statutes were completed in 1446. The body thus constituted consisted of a provost; ten fellows (although that number was not in fact completed); a master of the school; ten chaplains; an usher; ten clerks; seventy scholars; sixteen choristers, and ten almsmen or beadsmen. The numbers of some of these were however reduced in process of time: there are now seven fellows, two chaplains, two lay-clerks, ten choristers, and two masters, on the foundation: the assistant masters of the school not being necessarily connected with it.

This royal foundation, in its early progress, met with much opposition, and suffered some spoliation from succeeding kings, especially Edward IV. From the reign of Henry VIII. its history has been one of continued prosperity. The present collegiate edifice was erected at various periods: it contains, in two quadrangles, the chapel, the two schools, upper and lower, the masters'

chambers, the provost's lodge, the private residences of the fellows, and the library.

The provost of Eton is appointed by the Crown. The fellows fill up any vacancy among themselves by election. They may marry; and their residence, together with a considerable income, is found by the college: they are, however, entirely unconnected with its duties as a place of education. The master and lower master are elected by the provost and fellows. The eight assistant masters are appointed by the head master, with the approbation of the provost. They have been for many years usually selected from among the fellows of King's College, Cambridge; but this restriction has of late been occasionally dispensed with.

The seventy scholars, or, as they are termed, in consequence of the wish of George III., King's scholars, are eligible from eight years of age to fifteen. The statutable qualification is, that they should be "poor and indigent,"—words which of course receive a very general interpretation, although, in point of fact, the boys admitted in the foundation are for the most part children of less wealthy parents than the independent members of the school. The appointment is eagerly sought, on account of the pecuniary advantages attending it. Preference is, by the statutes, to be given to boys of those parishes in England and Wales where Eton has estates, and next, to those born in Buckingham and Cambridge shires. The foundation was, originally, entirely with a view to the instruction of youth for holy orders; and we find it consequently provided, that no one so maimed in his limbs as to be under the canonical impediment as to entering orders, can be admitted on the foundation. Scholars on the foundation are lodged (in the great dormitories of the school) and boarded by the establishment. By statute, their education should also be entirely gratuitous; but on this head some innovation has taken place. It was stated before a committee of the House of Commons, that the charge to the parent of educating a scholar at Eton, including an average estimate of travelling expenses backwards and forwards, might amount to 60*l.* per annum. The total expenses of a boy educated at Eton as an *oppidan* may perhaps average from 150*l.* to 200*l.* per annum in the upper part of the school.

The election of scholars at Eton takes place on the last Monday in July every year. The electors are the provosts of Eton, King's College, the vice-provosts of Eton, the master of Eton, and two masters of arts (called posers) of King's college. These functionaries divide the appointments among themselves. The usual number admitted on what is termed the Indenture, at each election, is twenty-four: they are then admitted on vacancies occurring; at the same time, twelve of the head boys among the scholars are placed on the roll for King's college, to fill up such vacancies as may occur in it. Failing King's, collegians are superanuated at nineteen (or eighteen, if they attain that age without being placed on the roll for King's college). Of this last foundation some account will be given under the head of the university of Cambridge.

The King's scholars at Eton are subjected, with regard to their discipline and management, to the peculiar and strict regulations of the foundation; but in respect of the education which they obtain, they are in all respects exactly upon the same footing with the oppidans or independent scholars, who are not upon the foundation. The two classes of boys are confronted together in the ranks (or forms as they are termed) of the school, and enter into competition together at the examinations. There has, however, always been, as may be supposed, a certain feeling of pride, on the part of the wealthier class, which co-operates with the exclusive discipline of the college, to prevent them from associating much together out of school. It is not very easy to ascertain at what time the practice of admitting independent scholars to partake of the education furnished by the masters of the college first began: it was perhaps

coeval with the establishment itself, as parts of the statutes have been supposed to refer to it. The number of boys at Eton of both classes, under the late head master Dr. Keate, at one time exceeded 600.

The oppidans board either in the houses of the lower master or assistants: or, at a somewhat lower charge, in the boarding-houses attached to the school; some few, chiefly of noble birth, in private lodgings, under the care of private tutors. In any case, however, each is placed by his relatives under the care of the lower or some one of the assistant masters as his tutor. The head master receives annually, from each, six guineas a year; the tutor ten: the board, with its attendant expenses, in a boarding-house, is usually estimated at fifty. It has been also for a long time the custom at Eton for each oppidan, on leaving, to present the head master with a fee, which varies according to the circumstances or inclination of the individual, but is seldom less than 10*l.*

The classification of boys, according to proficiency, in forms and removes, at Eton, (which, with some variations, has been pretty generally adopted elsewhere) comprehends both oppidans and collegers without distinction.

The lower school consists (besides one or two still lower classes for very young boys, of whom there are seldom many) of the third and fourth forms, each consisting of three subdivisions or removes. Each remove continues two quarters (that is, two thirds of a year) in its place: so that promotion takes place three times in two years. In each of these forms, therefore, a boy remains two years. Above these is a form, called by the particular name of the remove, consisting of two similar divisions, upper and lower. These forms constitute the lower school. An examination takes place in each remove, when the boys composing it pass from one form into another; after which they are classified according to their distinction in that examination: so that, in going through the lower school, beginning in the third form, a boy undergoes three such examinations. From entering the lowest remove of the third form, to passing into the upper school, a period of three years and a third is consumed. But as boys of various ages come to Eton, they are placed at the bottom of whatever remove in the lower school they may seem fit for by their previous acquirements and age. Each of these three forms is under the control of a separate assistant master. All the boys in the lower school, are, by the constitution of Eton, *fags;* which implies, in the first place, that every boy of the upper school, who by usage is entitled to have a fag of his own, has one of them lodging in his own boarding-house, assigned to him as his peculiar property; and in the next place, that the whole under school are collectively fags to the whole upper: so that one of the latter meeting one of the former, has a right to command his services, unless he be on an errand for his own individual master or some other. But it is almost unnecessary to add, that the supposed severity and degradation of fagging are in general greatly exaggerated.

On leaving the remove, the last examination takes place, and the boy passes into the fifth form, which constitutes the lower division of the upper school. The fifth form has two removes; but from the upper of these two, the boy passes into the sixth or highest form merely by seniority, as soon as there is a vacancy: the whole number of the sixth form being limited to twenty-two. Of these, the ten highest are styled monitors, and act in some measure as assistants to the masters, having a certain jurisdiction in enforcing the minor discipline of the school. The head of the whole school, who of course arrives at his post merely by seniority, is styled captain: he is uniformly a colleger, as oppidans rarely or never stay at Eton long enough to arrive at this position. The upper school is under the immediate control of the head master; and all the boys composing it go through the same course of lessons at the same time. The arrangements of Eton with respect to school hours are nearly as follows:— Three days in the week are whole

school-days; two half, and one whole holiday, besides such as are occasional; but a saint's day, when it occurs, is only substituted for the ordinary whole holiday. On a whole school day, there are four school times; on a half holiday, two. These school times vary from an hour and half to three quarters of an hour in length, the longest being the earliest. This first school time is in general, and in most forms, devoted to the repetition of tasks learnt by heart; the others, to the reading of passages in Greek and Latin authors. These readings are thus managed:—the whole remove, or the whole form, having a particular portion of an author to get up before-hand, are expected to be ready for it in school: when the master "calls up" a certain number, taken at hazard, with each of whom he construes a part of it, until school-time be over. But the task of preparation for these readings, which of course occupies the greatest part of the time devoted to education, is performed, not in school, but in private; that is, in general, by the upper boys in their private rooms, or "studies," with the occasional assistance of their public tutors; by the lower boys, in the "pupil-rooms" of their tutors, and under their eye.

The amount of classical works actually read through in the course of school business is very small. Even in the upper school, Homer's Iliad, Virgil's Æneid, and Horace, are the only books which it is customary to read through by fixed portions: and these are so small (thirty or forty lines in general) that it takes a very long time to get regularly through them. In reading them, the boy is required to attain a correct grammatical knowledge of construction, and of historical and mythological subjects by their perusal. The well-known Eton Latin and Greek grammars form the bases of the grammatical instruction of the school: these are learnt by heart, chiefly in the lower school; and boys also are expected to be able to repeat and apply their rules, when called upon, on the occasion of a passage from the author whom they are reading. Other classical works are read only in volumes of extracts taken from a few of the Greek and Latin poets and prose writers; mostly compiled for the use of Eton school in particular. A play of some Greek tragic author is also usually in the course of reading by the upper school.

But in almost every part of the school, and more especially as the boy advances towards the highest, his powers are especially directed towards classical composition. A certain number of exercises, as they are termed, are expected every week from each boy, unless in the event of one of those occasional festivals, which are termed whole holidays without exercise, or which one is excused. These exercises, in the upper school, consist of Latin themes, that is, prose compositions, generally on moral subjects; translations into English from classical writers; Latin verses, lyrical, heroic, and elegiac; and, occasionally, Greek verses and themes. A certain length of exercise is required; but boys are allowed and stimulated to exceed that amount; and when the exercises (after being revised by the public tutor) are sent in to the master, he selects a few of the best, which are publicly read in school, and for which certain rewards are given. As the actual work done in school is about the same for all the upper school, that is, for boys varying in age from fourteen to nineteen, it may be supposed that by far the greatest share of labour, by the most advanced and industrious boys, is bestowed on composition; and hence arises the merited celebrity of Eton in this branch of classical attainment.

Little attention was paid at Eton, until lately, to religious instruction: it is, however, now considerably increased. The Duke of Newcastle, a few years ago, founded scholarships both in classics and divinity for boys proceeding to the universities: there are usually about thirty candidates for the latter, and very fair proficiency is shown.

With respect to the habits of life, and domestic government of boys at

Eton, a material difference subsists between collegers and oppidans. The former attend prayers at their chapel every evening, and are then confined to their several dormitories, of which the greatest (the Long Chamber) holds thirty boys: the latter lodging either with private tutors, masters, or boarding-house keepers, have each in general his private apartment. The collegers have their meals together at stated hours and by statutable regulation. In the houses inhabited by oppidans, it is usual that all the inmates should assemble at dinner: the other meals are taken by the lower boys together, but by the upper boys in their own private rooms, finding, as it is termed, their commons for themselves. All the boys attend chapel twice on Sundays, once on saints' days and holidays.

Such is a brief review of the scholastic system of Eton; from which it will be observed, that the course of instruction is almost wholly classical, Mathematics form also a part, but a very small one, of the discipline of the school. There are masters in French, writing, arithmetic, &c.; but they are wholly unconnected with the school, except so far as that the boys are permitted to attend them at extra hours, at the wish of their parents.

With regard to the remaining public schools of England, those which are possessed of ancient and considerable endowments have been, in general, governed by regulations of their own, and not framed on the Eton model. All, however, possess more or less of general resemblance to it. But those which have been raised to the rank of public schools, from mere common charter or free schools, in modern times, have in general formed their discipline and government after the fashion of that of Eton, and employed the same school books; unless where some innovations have been made in later times. To the former class belong Winchester, Westminster, and the great metropolitan schools: to the latter, Harrow, Rugby, Shrewsbury, &c.

Winchester College is the most ancient of the English public schools: it has also preserved, partly in consequence of that circumstance, many peculiarities of feature and constitution, in which it differs from Eton and the great majority of schools formed on its model. It was founded by William of Wykeham, Bishop of Winchester, in 1382, at the same time with his other splendid establishment in Oxford (New College), which will be described under the head of that university. The foundation consisted of a warden, a schoolmaster, and usher, ten fellows, seventy scholars to be instructed in grammatical learning, three chaplains, three clerks, and sixteen choristers. The fellows, as at Eton, have residences provided for them at Winchester; but are unconnected with the business of the school.

The seventy scholars are admissible from eight to seventeen years of age. There are usually about 200 boys in all at Winchester, including those not on the foundation. Vacancies are filled up at the election in July, both for Winchester and New College, Oxford, much in the same manner as that already described with respect to Eton and King's. Two rolls are made: that for New College consists, — 1. of two founders' kin, elected on examination: they are not superannuated until twenty-four years of age. The remainder of the roll is filled up from the best qualified of the upper boys of the school elected on examination, with a preference for some (called superannuates) between eighteen and nineteen, who leave the school immediately after election. These are sent to New College as vacancies occur. The roll for Winchester is made up, first, for two founders' kin; and, next, of boys nominated in turn by six electors: the wardens of New College and Winchester, the two posers from New College, the subwarden of Winchester, and the head master.

Boys on the foundation are provided with board and lodging within the walls of the college. The remainder are lodged under the immediate care of the head master, in a pile of buildings contiguous to his house and forming part of the college.

The scholars are liable only to annual payments amounting to about 20*l.* a year, besides their travelling expenses, &c.

Westminster College, the second great scholastic establishment of royal foundation, was established by Queen Elizabeth in 1560: but it only replaced a school of great antiquity and celebrity, which had been attached to the ancient abbey.

Westminster College is not, like the other great schools, endowed with lands and estates of its own. But the revenues of the collegiate church of Westminster, (which had been first a minster, and then, under Henry VIII. a cathedral for a short time,) are charged with the support of two masters and forty scholars (called king's scholars). The scholars are lodged and boarded (with the exception of breakfast) in the dormitory and hall of the school: they wear a gown, cap, and college waistcoat. The number of independent scholars (town boys), varies according to circumstances: some are boarders; others day boarders, lodging at home. With respect to expenses of education, both classes of boys are on the same footing; and instead of the distinction between them which is observable at Eton, the scholars, being elected from the school at large for merit form a superior class within it. At the end of the fourth year, eight or nine of the senior boys on the foundation are elected off, according to the vacancies occurring, to Christ-church, Oxford, and Trinity College, Cambridge (see Oxford and Cambridge). The election for scholars is after an examination of a very peculiar character, in which the boys hold disputations with each other, *vivâ voce*, in Latin and Greek (termed challenges), and take places according to their success. There are eight elected out of twenty, thirty, or forty candidates, of the lower forms of the school, boys not being admitted into college after the age of fourteen. The number of boys in the school varies according to circumstances: of late years it has been comparatively very small, little exceeding 100. The Westminster holidays, differing from those of most public schools, are at Christmas, Whitsuntide, and in the month of August.

The principal metropolitan endowed schools are, — 1. The Charterhouse. This foundation stands on ground within the city of London, originally part of the estates of the Knights Hospitallers: afterwards, the site of a Carthusian convent founded there in 1361: and its name is derived from a corruption of the French appellation (Chartreux) of the religious. After the suppression of the monasteries, this estate passed through several hands, and was finally sold by the Earl of Suffolk to Thomas Sutton, Esq., citizen and girdler, in 1611; who founded on it the hospital and school of the Charterhouse, with large endowments, the gross rental of which, in 1815, was not less than 22,000*l.* per annum. Among the governors are generally some of the highest personages in the country; and vacancies in the government are filled up by a majority of voices among them. The boys on the foundation are of two classes—pensioners and scholars; both nominated in rotation by the governors. The number of pensioners fluctuates: that of scholars is limited to forty-two; the former are fed and lodged at the expense of the schools; and have a pension of 20*l.* per annum: the scholars are forty-two, who are educated almost wholly at the expense of the establishment. By its statutes, none can be admitted under the age of ten, nor above fourteen. The course of classical study in the Charterhouse is nearly similar to that pursued at other public schools; but it possesses a Latin grammar of its own. The exhibitions to the universities do not appear to be specifically limited in point of number: boys are elected to them by the board of governors, on examination: they have their option, both as to college and university; and are allowed 80*l.* a year for the first four years, and 100*l.* for the four following, if they graduate regularly. There are also some additional exhibitions to particular colleges at Oxford, given by the will of a benefactor. The boys not on the foundation are boarded by the undermasters: their number fluctuates according to the causes which control those of other public schools, but has been of late comparatively low.

St. Paul's School was founded in 1509, by John Colet, dean of St. Paul's; who conveyed for that purpose his estates in the city of London to the Mercers' Company, whom he constituted governors of the school. He drew up, with his own hand, rules for its government; which are curious, from the mixture of an enlightened generous liberality, which did not often accompany the charitable spirit of the age, with a quaintness peculiar to it. Thus, while instead of adopting the local restrictions usual among his contemporaries, he directs that in his school shall be taught "Children of all nations and countries indifferently," he limits their number to 153, in allusion to that of the fishes caught by St. Peter. This is a free, and strictly a classical, school. Scholars are admitted up to the age of fifteen. The appointment of scholars rests with the Mercers' Company. The school possesses, from a benefaction of Lord Camden, eight exhibitions to Trinity College, Cambridge, of 100*l.* per annum each, and an indefinite number of unrestricted exhibitions of 50*l.* per annum each, beside some other advantages: the exhibitions are chosen by the court of wardens of the Mercers' Company. The gross average income of the school from land was stated, some years ago, at 5,300*l.* with the interest of 26,000*l.* stock in the funds. The school has a headmaster, sur-master, under-master, and assistant master.

Merchant Tailors' School was founded in 1561 by Sir Thomas White, and endowed by him and other members of the Company. It has a principal and three under masters. The number of boys is limited to 250, who are presented in rotation by members of the Company's court. This school has forty-three fellowships at Oxford (of which thirty-seven at St. John), and seven at Cambridge; besides numerous scholarships and exhibitions. Mathematics have been recently introduced as part of the education of the boys in the two upper forms.

Christ's Hospital was founded by Edward VI. in 1552. This celebrated establishment is chiefly for the instruction of boys of the lower classes, who are clothed, fed, and educated in it. The circumstance of the well-known school garb, and other particulars of the discipline, render it little frequented, except by those to whom the advantages of an education almost gratuitous, supersede other considerations. There are generally from 1,000 to 1,400 boys on this foundation. The lord mayor and corporation of London, are *ex officio* governors, and there are in all more than 350 others. The income of this foundation is said to amount to about 45,000*l.* per annum. It is not very richly provided with scholarships and exhibitions at the universities.

Of the remaining schools of the kingdom usually considered as public, *Harrow* is reputed to claim the first rank: although poor in point of endowment, being, in fact, only a common grammar-school, which, by a concurrence of circumstances, has become an established place of education for the wealthier classes. The free grammar-school of Harrow was founded in 1571 by John Lyon, a yeoman of the parish; who conveyed property to six trustees (styled governors), for the endowment of a schoolmaster and an usher; the gratuitous instruction of the children of the parish; and for the endowment of four poor scholarships or exhibitioners, for the two universities. He gave, however, permission that the schoolmaster might receive *foreigners* in addition to the youth of the parish, and take such stipends of them as he could get. By degrees, which it would be now impossible to trace, the little parish school rose into a fashionable place of education; and the only parishioners who took advantage of it were such as, from station in society, could place their children on a footing with the "foreigners." The inhabitants of the parish endeavoured in 1809, to reform the constitution of the school for their own benefit, by appeal to the Court of Chancery; but judgment was pronounced in favour of the present system.

The governors of Harrow are, according to the statutes, to be six of the noblemen and gentlemen who reside in the parish; but a liberal interpretation

has been put on the condition of residence. They appoint the head-master and under-master: the number of assistants is limited by the head-master himself; they are at present three. The school has, since its foundation, been endowed with four scholarships by the governor and private benefactors; but has no other university advantages. The boys of the foundation board at home, and are exempt from the payment of school fees: their number is always small. The remainder board either with the master, or at private boarding-houses, each being under the tutorship of a master according to the selection of his relatives. The number in a school possessing no foundation of consequence, varies of course with the popularity of the master: it has of late averaged about 200. The system of education at Harrow, both in points of form and discipline, and in more substantial matters, has always been closely modelled on that of Eton; which Harrow has at different times since its foundation rivalled in public opinion among the higher classes. The only material difference in respect of discipline is, that fagging is confined to boys below the fourth form; of whom there are usually only a very small number. He who from circumstances is so situated as to have a fag of his own, is therefore a highly privileged individual.

In respect of the instruction communicated at Harrow, some important innovations on the old scholastic system have been made of late years under the superintendence of the late head-master Dr. Longley; both in classical learning, by the introduction of books of extracts from good authors, exclusively for the use of the school, and in other respects, by some additional attention to mathematical study, to geography and modern history: and an increased instruction in divinity. The age of boys at Harrow is nearly the same with that of the oppidans at Eton: the majority do not come to the school until after twelve, and do not remain much later than seventeen.

Rugby School, in Warwickshire, was founded by Lawrence Sheriffe, citizen and grocer of London, in 1567. Its high character as a public place of education commenced after its regulation by a private act of Parliament in 1777. Like Harrow, it combines gratuitous instruction for the boys of Rugby, and its neighbourhood, (who are considered as on the foundation,) with the education of a considerable number of boys, varying from 300 to 400, from all parts of the country, at their own expense. The head-master keeps a boarding-house: there are also private boarding-houses. By the statutes no boy can be admitted after fifteen, or leave after nineteen; but the age at which they enter and the duration of their stay at school, are much the same as at Eton and Harrow. There are, at present, seven assistant masters, and an assistant tutor. The vacations are only two — at Christmas and Midsummer. Rugby has fourteen valuable exhibitions at either university, but no other patronage.

Considerable alterations have been introduced by the present head master into the discipline of Rugby school, and into the course of education pursued there: some account of them will be found in one of the early volumes of the Quarterly Journal of Education. The acquisition of modern languages, and the study of modern history, have been rendered essential parts of the instruction of the school; which has in other respects been rendered more comprehensive in its character.

The free-schools at Reading, Repton, Manchester, and Shrewsbury, are also enumerated among public schools, in the latest accounts of those establishments. In ordinary language, however, they are not so designated, except perhaps the last. There is, in fact, no distinction, except that of usage; which has elevated Rugby and Harrow, although unendowed to any great amount, to the character of public schools, and by which, from time to time, others also are so designated, according as the talents and popularity of the head master, or other adventitious circumstances, have made them places of resort for the completion of the scholastic education of children of the higher orders, and their preparation for the universities. This is es-

pecially the case at the present time with Shrewsbury, which for several years past, under the superintendence of the late able master Dr. Butler, has been generally ranked among the public schools of the country. This school is also rich in scholarships and exhibitions. The number of boys is from 200 to 300. Of late years it has been celebrated for the proficiency in classical scholarship, particularly in Greek and Latin composition, and in grammatical learning, which has been attained by its students; who have carried away a very unusual proportion of the prizes and other classical honours awarded at the two universities.

Income of Endowed Schools. — The total number of endowed schools in England and Wales is very great, and the revenue at their disposal much larger than is generally imagined. We believe, indeed, that if the property set apart by the benevolence of private individuals, for the purpose of providing for education in England and Wales, were judiciously and economically administered, it would go far to furnish ample funds, not only for the support of the existing schools, but to defray the cost of a proper system of national instruction. According to the second Digest of the Reports of the Commissioners, drawn up in 1835, the sums apropriated for the purposes of education in endowed and unendowed schools, in the under-mentioned counties, were as follow: —

County or City.	Income of Endowed Schools.	For Education, not in Endowed Schools.	Total for Education.	Income for other Purposes.	Total.
	£	£	£	£	£
Bedford	1,626	214	1,841	11,836	13,677
Buckingham	1,413	169	1,583	9,815	11,399
Cumberland	1,802	85	1,888	1,388	3,277
Derby	3,547	127	3,675	8,821	12,496
Devon	5,755	785	6,540	21,853	28,394
Durham	1,783	80	1,863	15,261	17,124
Gloucester	4,510	874	5,385	14,072	19,457
Hertford	2,501	363	2,865	9,345	12,211
Huntingdon	854	172	1,026	2,706	3,732
Lancaster	18,455	259	18,715	17,011	35,726
Monmouth	1,919	13	1,933	2,950	4,883
Norfolk	5,703	538	6,242	30,943	37,186
Northampton	3,407	687	3,895	14,105	18,000
Northumberland	2,478	40	2,518	3,129	5,648
Nottingham	2,687	224	2,912	13,289	16,202
Oxford	1,621	118	1,740	11,349	13,090
Rutland	1,290	197	1,487	3,295	4,783
Salop	6,231	197	6,428	13,594	20,024
Bristol and Somerset	7,581	574	8,156	26,757	34,913
Southampton	2,730	623	3,353	7,118	10,472
Stafford	6,693	440	7,133	12,032	19,165
Suffolk	2,972	1,018	3,991	23,126	27,117
Surrey	5,547	1,049	6,597	28,742	35,339
Coventry and Warwick	11,856	660	12,516	27,614	40,131
Westmoreland	1,952	220	2,172	2,973	5,145
Wilts	1,727	367	2,094	14,527	16,622
Worcester	7,375	291	7,666	9,587	17,254
York	18,678	2,453	21,133	60,351	81,483
North Wales, Anglesey	506	29	535	860	1,395
— Caernarvon	871	66	937	1,281	2,219
— Merioneth	267	55	323	516	840
South Wales, Cardigan	294	12	306	64	370
— Carmarthen	370	41	411	673	1,085
— Pembroke	412	38	451	1,332	1.783
Berks	4,140	626	4,766	1,234	6,001
Kent	6,559	918	7,478	2,162	9,640
Sussex	3,383	401	3,784	726	4,510
London,—chartered companies	*	*	*	*	59,393
— parochial charities	13,080	292	13,372	21,148	34,520
Westminster	4,600	519	5,119	6,730	11,849
Middlesex	11,513	778	12,091	21,103	33,195
General charities	- -	310	310	16,097	16,407
Grand totals	180,309	16,938	197,248	491,556	748,178

* It has been found impossible to distinguish, with any degree of accuracy, the income of charities under the chartered companies of London applicable to education, and to other purposes.

It appears from this table that, under the present defective and slovenly management, the income of endowed schools in the above counties, exclusive of the sum appropriated to that purpose by the chartered companies of the metropolis, amounts to 180,309*l.* a year, and the income of the unendowed schools to 16,938*l.* a year. But nine of the most opulent English counties, including Cheshire, Essex, Kent, and Lincoln, are omitted in the above abstract, not having been inquired into by the Commissioners when it was published. And allowing for this deficiency, and supposing that the estates and other property appropriated to educational purposes were reasonably well managed, we believe we shall be within the mark if we lay it down that a free income of from 400,000*l.* to 450,000*l.* a year is at present partly, and should be entirely, devoted in England and Wales to the support of school education!

But exclusive of this, it is seen from the above table that a large mass of property, amounting, perhaps, if properly managed, in England and Wales, to not less than 1,000,000*l.* a year, is appropriated to other charitable purposes, the utility of many of which, though undisputed when the grants were made, has now become exceedingly doubtful. We admit the difficulties that stand in the way of legislative interference in such cases, but they are not insuperable; and it appears to be at variance with every principle on which society is founded, to continue to lay out property on institutions or for objects that have been ascertained to be either injurious or of little utility, when it might be employed to promote objects of undoubted national importance. The subject of endowments ought to be carefully sifted. The regulations of the founders should be respected only so long as they conduce to, or, at all events, are not opposed to, the public interest. Whenever they come into conflict with the latter, they certainly ought to be modified, and made to harmonise with what it may reasonably be presumed would have been, could he have foreseen the results, the conduct of the founder. By cautiously acting on this principle, we have little doubt that a free revenue might be obtained, without injury to any useful purpose, for educational objects, in England and Wales, of from 750,000*l.* to 800,000*l.* a year.

Universities. — The universities of England, like those of most continental countries, were originally framed on the model of that of Paris, the most ancient and most celebrated of them all. At how early a period schools and places of education of general resort may have existed in Oxford and Cambridge, is a question which it is wholly impossible to answer; nor has much light been thrown on the subject by the antiquaries of the two universities, although in the seventeenth century they carried on a vehement controversy as to their respective antiquity. It was, however, in the course of the thirteenth century, that these institutions, whatever they were, assumed the regular form of universities on the Parisian model; many scholars from the French university having been invited over to Oxford by Henry III., who, it is extremely probable, introduced with them the customs and form of their own academy.

The universities of the middle ages recognised, uniformly, four branches of education: — namely, that of arts, which was in some degree preparatory to the rest; and the three faculties more strictly so called of theology, law, and medicine. The great function of the institutions was the giving instruction and conferring degrees or certificates of proficiency in these several faculties. These degrees were attained by attendance for a certain number of years on the studies of the place. The degrees were called by various titles, and subject to various regulations in different universities; but, in general, there were two in each faculty,— one inferior and one superior; as the degrees of bachelor and master in the faculty of arts, &c. The bachelor or inferior graduate was bound to read a course of lectures under the master or superior; and every master was not only empowered, but required,

publicly to teach some of the subjects pertaining to his faculty. Thus the masters were the recognised public teachers of the university; but convenience soon dictated the necessity of abstaining from enforcing the necessity of lecturing by so great a number of graduates; consequently the distinction was introduced between regent, or lecturing masters, in the public schools of the university, and those who did not lecture (non-regents). The former constituted the body of the university, in some places entirely, and in others chiefly, for purposes of legislation. Thus, in Oxford, the regents, tutors, or masters formed the House of Congregation, in which all measures of government originated before they passed to the House of Convocation, in which all full graduates had a vote. This distinction of regent and non-regent was, however, early obliterated in the English universities, except only in the faculty of Arts. This faculty, in the scholastic system of the middle ages, consisted of seven arts: — three principal, namely, grammar, rhetoric, and logic; — four subordinate, — arithmetic, music, geometry, and astronomy. Hence, at different times, degrees were conferred in one or other of the arts instead of the whole faculty, — an irregular practice, of which a vestige still exists in the degrees of music, conferred by the university of Oxford. Originally, the students at Oxford and Cambridge, as in foreign universities, merely frequented the town for the purpose of attending the public schools, which were the only buildings appropriated to academic purposes. They lived as suited their own convenience; afterwards, in order to ensure a somewhat stricter discipline, the system of halls or hostelries was introduced. These were properly boarding-houses, to which the students were admitted: they elected, from among themselves, their principal or rector, who was approved by the chief authority of the university. Many, however, still continued to find private lodgings for themselves, even at the time when the system of halls was in full operation. At the beginning of the fourteenth century, there were upwards of 300 of these halls in Oxford; after which period both the number of halls and of students rapidly declined: in Cambridge, they were also numerous, although less so. In that university, different halls were appropriated to the reception of students in different faculties, as was probably also the case in Oxford. Colleges were of later institution. They were, in their origin, foundations for the benefit of poor students, raised by the munificence of private individuals. In these foundations, a certain number of youths were admitted as scholars, who had lodging provided them, and a provision toward their maintenance, in order to enable them to enjoy the benefit, in which all participated alike, of the nearly gratuitous instruction of the university: a certain number, generally of graduates, as fellows receiving a higher provision; and a head of the institution, called by the various names of principal, rector, master, warden, dean, &c. These colleges were appropriated, according to the caprice of the founder, to the natives of particular districts, students of particular schools, &c. Finally, a university, under the ancient system, was completed by the appointment of professors, or recognised public readers in the faculties, paid by salaries instead of the small fees previously created by the regents, — an innovation which, in the course of time, materially interfered with the right of lecturing by simple graduates, although they still continued to exercise that right down to a very late period.

Such was the constitution of a university, according to the general *model* of such institutions in Europe, about the fourteenth and fifteenth centuries. But in process of time, these institutions departed greatly, in all countries, from their original model; and this departure took place in various directions. In no country, however, have they so greatly deviated from that model as in England; insomuch, that although the foregoing sketch is material to the understanding of the technical language and titles of Oxford and Cambridge, their system, as at present established, is as widely different as possible from that which it delineates. The steps by which the alteration took place were

very gradual, and chiefly originated in the increased influence of the colleges.

The oldest college in Oxford is supposed to be Merton, founded by John de Merton, about 1261. Peterhouse, as a college, is the most ancient in Cambridge, although St. John's existed before it as an endowed religious house; its charter of foundation bears date 1283. From that period to the Reformation, the progress of collegiate foundations was continual. Fourteen colleges were founded before that period in Oxford: thirteen in Cambridge. The number of students in the two universities was greatest in the thirteenth century, when they were calculated, in each, at many thousands, although the number continually fluctuated. In the following century they greatly diminished, owing partly to the decreasing repute of the scholastic philosophy, and partly to civil war, — a tendency which was still farther increased by the religious disturbances of Henry VIII.'s reign; so that at the Reformation, while the colleges had become comparatively numerous, the halls had fallen into much decay, and both universities were nearly emptied of students, except such as remained to enjoy the charitable foundations of the colleges. In 1500, the inhabited halls in Oxford were reduced to fifty-five: in 1546, to eight; and the few which have survived retained their existence in consequence of the circumstance of their having become the property of colleges, while others were merged in the colleges themselves.

When, therefore, after the Reformation, the universities began to be again frequented by numerous students, the colleges almost alone survived the wreck of the ancient university institutions. It was, probably, not until the sixteenth century that they received independent members, unconnected with their foundations, as students. But in the course of that century the whole academical population became congregated within their walls and those of the few licensed halls. Several new colleges were also founded in both universities during that century, and various halls transmuted into colleges. In the reign of Elizabeth, when the new system had become fully established, the regent masters were deprived of the initiative in legislative measures in the House of Convocation in Oxford, which was transferred to the hebdomadal meeting of heads of houses; and the council or meeting of high functionaries, styled the Caput, was invested with the power of putting a previous veto on any grace, *i. e.* legislative measure, to be proposed in the senate at Cambridge. The statutes of Oxford were reduced into a body under Archbishop Laud (chancellor of the university) in 1638, and still form the recognised academical code. But since that period, the greater part of them has become virtually obsolete, and the change from the ancient university system to the modern confederacy of colleges has been completely effected. In the first place, all substantial examination for degrees (except the lowest in arts, to which may be added at Cambridge the lowest in civil law and in medicine) has been discontinued. The other degrees are conferred, as of right, on those who have attained a particular standing, without reference to proficiency, or (with some slight exception) the necessity of residence. Consequently, the attendance on the lectures of the public readers or professors in the various faculties has been dispensed with (with the exception of attendance on lectures in divinity, which is required for a purpose unconnected with university education, namely, that of taking orders); and these lectures are now given only to such as voluntarily attend them. Thus the *necessary* education of the university has become confined to so much as is required to attain the inferior degree of bachelor of arts. The amount of proficiency necessary for the attainment of that degree is fixed by the university; and it is conferred only on such as have satisfied examiners, appointed by the university, of their competency. But the preliminary instruction is attained not by the hearing of the lectures of university professors, but by the intervention of the tutors in the several colleges. As no one can

now belong to either university, unless he have been entered at, and have resided within the jurisdiction of, one of the colleges or licensed halls; so no one can attain the university degree of bachelor of arts, unless he have been subject to the collegiate instruction of the house to which he belongs. The system of honours, — that is, the distinction between the various classes of proficiency which have been introduced into the certificate for the degree of bachelor of arts, — is one of entirely modern institution. This preliminary history is necessary, by way of introduction, to a description of the English universities. In proceeding to lay before the reader an account of their present constitution, and the education which they give, we begin with Oxford; but by far the greater part of the usages which we shall detail are common to both, and, where any difference exists, it will be specially noticed.

The colleges of which each university is composed are to be regarded in a double light: in the first place, as charitable foundations for the maintenance of a number of students, and of resident graduates; in the next place, as houses of education, in which youths desirous of obtaining university degrees are lodged and placed under the superintendence of tutors. In the first point of view, each college is an independent corporation, wholly unconnected with the university at large except as its members, individually, are subject to its statutes; governed by laws of its own, being for the most part such as were imposed by the original founder, and subject to the inspection of its own visitor, appointed in its charter of foundation.

At the head of each college is the head or principal, an officer called by various titles in different colleges (master, rector, president, warden, &c.). Except in one or two royal foundations, the heads of colleges are appointed by election of the fellows, from among their own number. This office is for life; and they are generally allowed to marry. The incomes of the heads of colleges vary so greatly as to render it impossible to give any definite account of them; in most instances they arise from the produce of a double fellowship, college livings attached to the headship, &c. In most colleges, they are necessarily clergymen. They exercise superior authority in the discipline, &c., of the college, considered as a place of education; but in other respects, they only form part of its legislative council, being assisted by the fellows. Both at Oxford and Cambridge the heads of colleges exercise an important office in the government of the university, which will be explained when those bodies are considered collectively.

The fellows form the governing and constituting body of the college. Their number is everywhere different: some fellowships are constituted by the original foundations, and, in many colleges, others have been added by subsequent benefactors. In many colleges in both universities, fellows are necessarily graduates, either by statute or by common usage; having passed the lowest degree, that of B.A. or student in civil law. But this is a rule subject to many exceptions, as every foundation is governed by its own laws; *e.g.* at New College, Oxford, being an establishment connected with the college of Winchester, persons of the founders' kin are fellows as soon as admitted, and the rest after two or three years' probation. The classes of individuals eligible to fellowships are also limited by the private statutes of each establishment, so that the most singular variety prevails. In Cambridge, however, the limitations to particular schools, dioceses, and districts are less common than in Oxford; but, on the other hand, it is the ordinary practice in the former university for each college to elect, to its fellowships only, students of its own. From the great size of the two colleges of Trinity and St. John's, the choice in them is very large, and the election has all the advantages of open competition, — the fellows being elected out of the body of scholars after a close examination in classical and mathematical learning, and wholly on comparison of their relative merits. In Oxford, all or some of the fellowships, at several colleges, are open to all graduates of the university; but

while in some of these the election is on the principle of free competition, and preceded by a strict examination, it is, in others, matter of private favour and interest. The great majority, however, of Oxford fellowships are limited by the will of the founders to particular schools and localities, or come by rotation to such as are already scholars on the foundation. The fellows, therefore, of the two universities constitute a very miscellaneous body, comprising, in some houses, the highest talent and abilities of each; while in others, they are not distinguished by these characteristics.

Fellowships are in general limited to persons studying with a view to holy orders: but there are exceptions to the rule in both universities. Time is allowed by the statutes for an individual elected to make his choice of a profession; and thus a certain number who prefer to remain out of orders, vacate their fellowships after a few years. Vacancies are also made by marriage, against which the statutable rule is uniform in all houses; and by the acceptance of livings in the gift of the college (which are offered to the fellows as they fall vacant in order of seniority), or of any other living or situation statutably incompatible with the fellowship. Thus the succession is in most colleges pretty rapid. The incomes of fellowships are extremely various: the best at Oxford are supposed to be worth, in good years, from 600*l.* to 700*l.*, while many do not exceed 100*l.*, and many at Cambridge fall far short of that sum. They are paid out of the college revenues, which are for the most part received in corn rents, varying with the price of that commodity. The fellows have also a considerable proportion of their board provided for them by the college, if in residence. The amount received from a fellowship varies from year to year; part of the income of a college being usually derived from fines on the falling in of beneficial leases, and the corporate expenses of the college being also very variable. It is usual in most colleges for certain funds to be set apart yearly, derived in part from taxation of the fellowships, in part from the rent of rooms, &c. &c., for the general purposes of the establishment, technically styled "Domus." Out of this fund repairs of buildings, purchase of livings, &c. are usually made; and in this manner the great architectural undertakings of late years in both universities, but more especially in Cambridge, have been provided for.

The college tutors, who take charge both of the students on the foundation, and those who are independent of it, are selected from among the fellows, together with the officers, as dean, bursar, &c. Besides these officers, the fellows are not in general required to be in residence. There are, however, usually a certain number, either taking pupils as private tutors, or residing for purposes of study; and among the older fellows, there are to be found in most colleges a few who prefer the quiet monotony and ease of a college life to a dwelling elsewhere. It is customary in some colleges for individuals elected to fellowships to pass a year as probationers, during which they receive no income, and are considered as holding their appointment merely at will.

The scholars are under very different regulations, and enjoy very different advantages, at different colleges. They are upon the foundation; but not so closely connected with it as the fellows. The period of eligibility varies; but those elected to them are always undergraduates. In the larger colleges at Cambridge, the scholarships are numerous, and open to undergraduates of the college, forming small college prizes: at Oxford, the scholars in some colleges succeed by rotation to fellowships. In the latter university they wear a different gown from the rest of the undergraduate students. Scholars are often elected, both in colleges where the competition is open, and where it is restricted, before they have begun to reside at the university. Scholarships are, as may be supposed, very various in point of emolument: from 100*l.* or 80*l.* to 20*l.* or less per annum, together with some advantages in the way of board. In respect of discipline and education, scholars are on precisely the

same footing with the independent students. In some colleges, the body answering to that of scholars bears a different name; — as the demies (semi-communarii) of Magdalen, Oxford; &c., &c.

Exhibitions are annual pensions,—given away in some instances by the colleges; in others, by free and endowed schools, &c., — to portion youths proceeding from them either generally to the universities or to particular colleges. Some are very valuable. Exhibitioners are not in general considered as on the foundation.

Besides these, there are several classes of inferior students, (and also choristers in some colleges) provided for, wholly or in part, by the foundations. These poor students bear various names; as, at Oxford, servitors, bible-clerks (at Christ Church, scholars). They are considered as of inferior class, and associate little with the other members of the university. They were generally required to perform some menial offices in the college; a custom of which some relics still subsist. At Cambridge, where they are generally termed sizars, their position is more elevated.

In point of college system, the laws which regulate the several foundations, their component members, and the relation in which they stand to the university, there is no material difference between Oxford and Cambridge. But in tracing the system of education pursued at each, in which both the college and the university perform their respective parts, it becomes necessary to consider the two institutions separately. The following account, therefore, will relate exclusively to the course of study and academical progress of a student at Oxford: the plan pursued at Cambridge will then be detailed separately, in so far as it differs from the former.

Every individual admitted to the University of Oxford (in the language of the place, matriculated,) is entered on the books of some college or hall. At the time of matriculation, he is sworn to observe the statutes of the university, or submit to such penalties as may be imposed for their violation; and subscribes his assent to the Thirty-nine Articles. Whether he commmence residence immediately on matriculation, depends on circumstances: it is not usually required of him until three or four terms afterwards; nor can he be admitted unless there be room for him in college, as lodging out in the town is in no case allowed to men under twelve terms' standing. There is no difference, in respect of priority of degree, admission, &c., between gentlemen commoners and commoners: the only privileges of the former consist in a particular dress, and in a separate table at the college dinner, with some trifling indulgences in particular colleges. Noblemen, however, and the eldest sons of baronets and knights, have certain advantages; the time for passing the first degree being shortened in their case.

Subjoined is a summary of the different periods at which the several degrees, &c. occur in the course of a student at Oxford. It will be recollected, that there are four academical terms in the year: Hilary, Easter, Trinity (or Act), and Michaelmas; and that the year of academical residence includes, in all, rather more than half the real year.

Responsions (preliminary examination), from sixth to ninth term.

General Sophist (a mere formal title), after two years.

Degree of B. A., after sixteen terms complete; of which twelve are only necessary in residence.

Degree of M. A., twelve terms from that of B. A.; of which actual residence is requisite for one only. (A master of arts becomes a regent after the act subsequent to his degree: and thus acquires the privilege of voting in convocation. The act is on the first Tuesday in July.)

Degree of Bachelor in Civil Law, three years from the regency.

Degree of Bachelor in Civil Law, without passing through arts, twenty-eight terms; of which seventeen in residence.

Degree of Doctor in Civil Law, five years from B. C. L.; shortened to four for those who intend to practise at Doctors' Commons.

Degree of Bachelor in Medicine, one year from regency; doctor in medicine, three years more.

Degree of Bachelor in Divinity, seven years from regency; doctor in divinity, four more.

Degrees in Music are merely honorary: but the performance of some piece of music is required by way of exercise.

On matriculation, the student is assigned to the superintendence of some one of the tutors of his college. This, however, in most colleges at Oxford, is little more than a form; as all the tutors (two, three, four, or five in number) generally divide both the discipline and instruction of the college among themselves; and the student is equally under the superintendence of all. The chief part of the instruction imparted by the tutors is in the college lectures which they deliver. These lectures are not harangues, like those of professors, but rather catechetical, mixed with reading and discussion, in which the class, consisting of a small number, go through with the tutor a portion of some classical or mathematical book in familiar use at the university examinations: the whole system of college instruction being preparatory to the degree. Of these lectures, the student, at first, generally attends three or four in the day. There is not, in general, much division of labour between the tutors in the same house. Divinity is usually part of the province of the dean of the college (the highest of its officers connected with education); and there is, in those which have a considerable number of undergraduates, a tutor whose lectures are confined to mathematics: but, with these exceptions, every portion of the range of subjects constituting the academical education may be taken indifferently by any tutor. Tutors, also, hold lectures occasionally with a smaller class of those about to be examined for honours, in authors of greater difficulty. Besides the lectures, there are college examinations at the close of the term (called collections), occasional compositions in Latin and Greek, and college prizes for composition.

In the sixth or eighth term (unless dispensation be obtained for a later period) after matriculation, the student must pass the preliminary university examination termed responsions, or, in common parlance, "little go." This examination is generally in three or four classical authors, selected by the student at his discretion; and either a portion of the Oxford logic, or a few books of Euclid, according to his choice. As there is no classification of merit in this examination, there is no temptation to exceed the necessary limit in these respects. The examiners are termed the masters of the schools. To have failed in passing this examination (in Oxford phraseology, to have been plucked) three times, is generally considered a disqualification from farther pursuing the studies of the university.

After this period, the more important preparation for the public examinations for the degree in arts generally begins in earnest. Those who are anxious to take honours, generally about this time engage a private tutor (not necessarily of their own college) who may be able to render them more assistance, and pay them more exclusive attention, than the tutor of the college. The fee of a *private* tutor at Oxford is 50*l.* a year; at Cambridge, where the academical year is rather shorter, 40*l.*

The public examinations for the degree of bachelor of arts are held twice a year; viz. in Michaelmas and Easter Terms. For those who are simply desirous of obtaining the necessary degree, without any honourable distinction, it is necessary to be able to undergo an examination, — 1. In divinity: amounting to a general acquaintance with scripture history and doctrine, the Thirty-nine Articles of the Church, and the arguments usually adduced in support of them. 2. In classical literature: generally speaking, three Greek and three Latin authors, selected by the student at his

choice among those of the more classical era, in which a pretty accurate proficiency is required. 3. In logic. This relic of the old discipline of the schools, retained at Oxford only, consists merely of Dean Aldrich's Compendium of Logic, which the student is expected to have learnt so as to be able to apply its rules practically to proposed questions. 4. In Latin and English composition.

The examiners for the degree are eight masters of arts, four in classics and four in mathematics, appointed by the vice-chancellor and proctors, with the sanction of Convocation. Those who fail in showing such an amount of proficiency as, in the opinion of the examiners, entitles them to their degree, are said, in the language of the place, to be "plucked;" a phrase which originates in an ancient custom by which any one, who objected to a degree about to be conferred in congregation, notified his dissent by plucking the sleeve of the proctor's gown.

The examination for honours, though different in many particulars at Oxford and Cambridge, is a peculiar characteristic of the system of the English universities. It is, indeed, of comparatively recent date: having been first introduced, at Oxford, by the Examination Statute of 1801; and remodelled by that of 1807. It has subsequently undergone many alterations; and, from being almost wholly conducted *vivâ voce*, has recently been more assimilated to that of Cambridge, by means of written answers. The present system is on the following footing: —

The candidate for honours may seek to attain them in classical literature and moral philosophy (in literis humanioribus), or in mathematics (in disciplinis mathematicis et physicis), or in both. It is, however, indispensably necessary, as a preliminary condition, that he should satisfy the examiners of his proficiency in divinity, although he is not, in general, subjected to a severer trial on this head than those who merely "go up" for a common degree; or "pass," as it is termed at Oxford. It is also necessary for the candidate for mathematical honours to "pass," in the first instance, in classics.

The classical examination is conducted, in the main, on the principle of allowing the student to choose his own books for examination. These, however, must necessarily be pretty numerous, and comprehend a tolerably extensive circle of Greek and Latin antiquity. Nevertheless, it is not common, at Oxford, to find in the university examinations any attention paid to Greek history, or poetry, after the time of Alexander; or to Latin history, later than the reign of Augustus. The classical era, with which the Oxford student is rendered tolerably familiar both in respect of historical detail and literary style, is narrowed within a very limited compass; and this, in the opinion of many, is advantageous, because his mind is thus conversant only with the best models of composition. It may be said that ancient authors are studied, at Oxford, rather in a comprehensive than in a closely critical view. The discipline of the place may inspire the student with the taste of a scholar, but does not, in general, confer that close analytical knowledge of the ancient languages which is so much sought after at Cambridge. Composition, however, as well English as Greek and Latin, is gradually becoming a more and more essential part of the Oxford examinations. And it has been said, that while the plan, until lately, was for each student to be examined separately, an approximation has been made, of late years, to the Cambridge system of "papers;" the same set of questions being proposed in common to a certain number of aspirants.

Two treatises of Aristotle,—the Nicomachean Ethics, and the De Rhetoricâ,—are still reckoned necessary class-books at an Oxford examination for honours: and some others of his works are occasionally added, at the discretion of the student. These books must be studied, and the substance of their contents committed to memory, pretty exactly: they furnish, like-

wise, subject-matter for a pretty extended course of examination in moral philosophy and in general literature. Plato is, or was recently, little studied at Oxford. In Greek composition, the principal models studied and followed are the dramatists, Thucydides, and Xenophon: in Latin, Virgil, Horace, &c., generally receive little attention beyond what is necessary to refresh school recollections. Livy is much read, Tacitus less: Cicero, by no means with so much assiduity as might be expected in a place devoted to classical study: nor is elegance in Latin prose composition often acquired. English writing is generally confined, at examinations, to a few translations; and an essay or two on philosophical or antiquarian subjects. Part of the examination, less considerable now than heretofore, is conducted *vivâ voce:* the examiners successively confronting the student for a space of time amounting in all to three or four hours. The whole classical examination for honours lasts three or four days.

Mathematical examinations are conducted according to the Cambridge system; being, in pursuance of the latest regulation, wholly managed by way of written question and answer. Out of ten papers of questions (in an examination of 1832), three were in algebra and geometry; two in the differential calculus; one in Newton's Principia, mechanics, hydrostatics, astronomy, and optics, respectively. It has been said, that the qualifications required of a first class man in mathematics, at Oxford, are about the same with those of an inferior wrangler at Cambridge: but it is obviously impossible to institute any exact comparison.

When all the examinations are concluded, the candidates for honours are *classed.* There are four classes of honour in each branch; the number of those who have "passed" without attaining honour forming the fifth class in the classical branch. Their names are not published; while those included in the two sets of four classes are printed, each class alphabetically, in the university bulletin, and rendered public. There is thus an approximation to a system of ranking according to merit, without its being fully acted on: for all those whose names stand in the same class appear as equals. There are ordinarily from six to twelve names in each of the two first classes: of course, a first class in both classics and mathematics (a "double first," in the language of Oxford) is the highest honour to which a student can attain. Instances are common enough of candidates for honours succeeding only so far as to pass: sometimes they have not even that good fortune; while, on the other hand, individuals who merely go up for a "pass," by evincing an unusual proficiency in their examination, find themselves elevated to the fourth or third class in classics.

This account of the examinations for honours will serve, with proper modifications, as a sketch of the manner in which other examinations are conducted; such as those of the colleges for fellowships and scholarships; those for the open university scholarships, &c. It is only necessary to show that mathematical knowledge generally goes for little in college competitions for fellowships, unless the college should chance to be in want of a tutor in that department.

With the degree of B. A., or, rather, with the examination for it, the academical course of a student virtually ends; and a majority, including most of those not destined for the church, leave the university immediately afterwards; having remained there three or four years. The expenses of an undergraduate at Oxford vary so materially, according to the private habits of each individual, that it is impossible to present any satisfactory statement of them. Perhaps the whole expenditure of such commoners as live on the most economical scale (allowing an average for travelling expenses), may vary from 200*l.* to 250*l.* a year: what is spent above the latter sum must be set down to the tastes and inclinations of the individuals. This does not, of course, include a private tutor's fee, an expense which is seldom incurred except by those who

are preparing for honours, and not always by them. The college accounts (technically called battels), which comprehend a slight annual payment to the university, the college fees to tutors, expenses of board, room-rent, coals, candles, and a few other items, vary from 60*l.* to 100*l.*, at different colleges, for commoners, and from 30*l.* to 40*l.* more for gentlemen commoners. There are sundry abatements for those on the foundation. The students dine together in the college hall, sitting at separate tables according to their ranks and degrees: their remaining meals they take in their own rooms.

There is, however, always a considerable number of graduates, of the degree of B. A., in residence at Oxford. Those who intend to enter orders must attend a course of lectures of the divinity professor after their degree. One term of residence, also, is required for a bachelor of arts, before he can proceed to the degree of M.A. There are probationary fellows, of whom residence is required, and others preparing themselves for examination for fellowships; others, again, reside as private tutors. Those on the foundations are, for the most part, accommodated within the colleges: the rest lodge in the town.

Degrees in civil law, and medicine, are merely nominal honours, which are not conferred on special examination, but cannot be obtained until after a bachelor's examination in arts. They are assumed, in general, by such as intend to practise in Doctors' Commons, or as physicians. For degrees in divinity, attendance on divinity lectures is requisite: there are, besides, disputations and exercises enjoined by statute for all the higher degrees, the performance of which is little more than nominal.

Few remain at Oxford after the degree of M. A., except such as are concerned with the discipline either of the colleges or of the university, as tutors, professors, &c. &c. But it is usual for most of those who take it, especially for clergymen, to keep their names on the books of their respective colleges, at a slight annual expense. By this means they retain the privilege of voting in the Houses of Congregation and Convocation: and thus questions on the adoption of laws affecting the internal state of the university, or elections to offices, &c., within it, are very frequently decided by an influx of non-resident voters.

The university of Oxford is incorporated by the style of "The Chancellor, Masters, and Scholars of the University of Oxford." Its ancient charters to this effect are confirmed by the Act of Incorporation, passed in the thirteenth year of the reign of Queen Elizabeth. Its statutes, as has been before observed, were reduced into a digest in the chancellorship of Archbishop Laud; whose "Corpus Statutorum" is still recognised as the governing code of the university, although many of its provisions are, in effect, abrogated by usage.

The Chancellor of Oxford was elected, in ancient times, for three years; but, since 1484, for life; and this office, originally held by a resident at the university, has long been little more than an honorary dignity, conferred on some distinguished lay or spiritual lord. But although the Chancellor's ordinary powers are delegated to the Vice-Chancellor, he is still the first officer of the university.

The High Steward, or Seneschal, is appointed by the Chancellor: his principal office is that of holding the university courts leet, and determining causes in which members of the university are concerned, by virtue of their privileges. This office, however, is also performed by deputy, and held by some distinguished nobleman.

The Vice-Chancellor is, in effect, the supreme executive and judicial authority in both universities. He is annually nominated, at Oxford, by the Chancellor as his deputy; but, in practice, the office is held in rotation by the heads of colleges for four years.

The proctors (senior and junior) are university officers, appointed annually: they are nominated by the colleges from among their own members, each college taking its annual turn according to a peculiar cycle, fixed by the Caro-

line statutes of Charles I. They must be masters of arts between the standing of four and ten years. Their duties are of a very miscellaneous character: but they are best known as conservators of the peace of the university; in which office they are assisted by the pro-proctors, and have under their command the academical constabulary force. They have power not only to repress disorders among the students, and inflict summary academical punishments, such as imposition of tasks, confinement to college, &c.; but also an extensive police jurisdiction in the town. Their summary authority extends both over undergraduates and bachelors of arts, who are still considered by the university as in *statu pupillari*.

The corporate business of the university is transacted by the masters at large, in two different assemblies. *Congregation* consists of regents, either *necessary* or *ad placitum*; i. e. chiefly residents at the university. Its business is chiefly of a formal character: confined to the giving degrees and granting dispensations. *Convocation* is the legislative assembly of the university. Members of Convocation are all regents, whether on the foundations, or independent members who retain their names on the books of the colleges (*convictores*). The number of members of Convocation was, in 1835, 2,551. But the legislative power of this body is limited by two material restrictions. In the first place, any proposition to explain or amend a royal, or Caroline, statute (those enacted by Charles I.) cannot be received without royal permission. In the next place, any proposition to enact any other new statute, or explain an old one, must first be referred to the hebdomadal meeting; which, if it approve the proposition, draws up the terms in which it must be submitted to Convocation; and thus, in fact, takes the initiative in every measure. This body was first instituted in the reign of Charles I., and is composed of the Vice-Chancellor, proctors, and heads of houses.

The Oxford professorships are of two classes; those established by royal foundation, and those of private endowment. It has been already shown, that the professors, as such, have no direct concern with academical education or discipline. Attendance on their lectures is not (except in a few merely formal instances) necessary for the attainment either of university rank or college emolument; although, for the purpose of being admitted to holy orders, it is necessary for bachelors of arts to attend the lectures of the regius professor of divinity for a short time, unless they have a dispensation. The lectures of professors, therefore, are only attended by voluntary students. Some lectures are given by most professors *ex officio*, and gratuitously; but there are also courses for which fees are received. Popular lecturers and interesting subjects will frequently attract considerable audiences; but, in general, the public lectures (and especially those given as part of the professor's duty) are ill frequented; and sometimes they are dispensed with altogether, on the score of non-attendance.

The *regii professores* are appointed by the Crown: they are of divinity, civil law, medicine, Hebrew, and Greek, founded by Henry VIII.; and botany, modern history, anatomy, since founded, or enlarged from private foundations. They are generally well paid, not only out of stipendiary funds, but also by valuable preferments attached to the professorships; *e. g.* canonries of Christ Church to those of divinity and Hebrew. The private professorships are,—1. Of divinity, the Margaret professorship, founded by the mother of Henry VII., filled by election of all graduates in divinity. 2. In literature and languages; the Camden professorship of ancient history, founded by William Camden, Esq., in 1622: election by Convocation. Poetry, by Henry Bickhead, Esq.: election by Convocation. Anglo-Saxon, by Dr. Rawlinson in 1750: election by Convocation. Arabic, Laudian professorship, founded by Archbishop Laud: election by officers named in the foundation. Arabic readership, by the Lord Almoner. 3. In common law, the Vinerian professorship, founded by Charles Viner, in 1755, together with common law

scholarships: elections by Convocation. 4. In political economy, a professorship founded by Henry Drummond, Esq., in 1825: election by Convocation. 5. The professorships and readerships in the natural sciences are very numerous; but, as these sciences are in no respect introduced into the academical system of education, Oxford has never been in repute as a school of natural philosophy. They are,—The Sedley professorship of natural philosophy (electors appointed by the founder and warden of All Souls); the Savilian professorships of geometry and astronomy (electors appointed by the founder). Lord Lichfield's clinical professorship, and the Aldrichean professorships of medicine and chemistry (founded 1803): election by Convocation. Lee's lecturership in anatomy, and the readerships in experimental philosophy, mineralogy, and geology, appointed by the Crown. 6. Professorship of music, founded by William Heather, in 1626: electors, the proctors. As a general rule, professorships are open to members of all colleges; but it is usual for Convocation not to elect two members of the same college in succession to the same professorship.

The public orator was first appointed in the reign of Elizabeth. He is chosen by Convocation. His duty is, to write letters and addresses on public occasions, to present to Congregation persons on receiving honorary degrees, and deliver an annual Latin oration.

The university of Oxford is amply provided with public rewards, for competition among undergraduates and bachelors of arts, mostly through the munificence of private benefactors, both in the shape of annual prizes, and of scholarships, &c. These are open generally to the whole university, although, in some cases, the eligible or preferable candidates are limited by the terms of the endowment. The annual undergraduates' prizes are for Greek, Latin, and English poems: the bachelors' prizes, for Latin and English essays, and also for essays on subjects connected with divinity. There are classical university scholarships of two foundations (Craven and Ireland), mathematical and divinity scholarships, all given to open competition before examiners appointed by the university. Particulars respecting them will be found in the University Calendar.

The Commemoration, or Act, is held once every year, on the first Tuesday in July, in the academical building called the theatre. On this occasion honorary degrees are conferred, high officers inaugurated: the public orator recites his annual oration, and the prize essays and poems are read. Honorary degrees, conferred on persons not connected by residence with the university, are usually in civil law.

In concluding an account of the chief establishments of the university, it is necessary to speak of its two great libraries, the Bodleian and the Radcliffe (of which the former is one of those which have the privilege of demanding a copy of every work published in England); of its chemistry, also founded and endowed by Dr. Radcliffe; and, lastly, of its celebrated press, called the Clarendon Press, from the Lord Chancellor Clarendon, who gave the copyright of his History of the Rebellion to Oxford, with the profits of which the original printing-house was built. The press has been lately removed to a more splendid and extensive building. It is under the superintendence of a committee of eleven delegates; and all the books which issue from it are either such as are printed under the command and direction of the delegates, or by private authors, with their express permission.

The income of the university itself is inconsiderable; arising, in part, from property, but chiefly from fees paid on degrees, &c. The revenues of the professors and other officers are generally distinct from the public chest of the university, and arising out of royal or private endowment. But the great wealth of Oxford is concentrated in the hands of the colleges; and, as these bodies, collectively, now form the academical body (all education for university purposes being carried on within their walls, and all students

entered on their books), a separate mention of each is a necessary part of an account of the university.

University College is ranked in common opinion as the oldest in Oxford, but without substantial reason. The date of its foundation is, in fact, unknown; but its oldest statutes bear the date of 1280. The foundation consists of a master, twelve fellows, seventeen scholars and exhibitioners. Of the fellowships (which, as well as the scholarships, were given by different benefactors), some are for natives of the county of Durham only; some for those of the dioceses of York, Durham, and Carlisle; others for those of the rest of England, with the exception of these dioceses. Among independent members, University College has no gentlemen commoners. Its number of resident undergraduates is generally fifty or sixty.

Baliol College was founded by John de Baliol of Bernard Castle, in Yorkshire, and his lady Dervorgilla, between 1260 and 1270. The foundation, increased by the donations of various benefactors, is for a master, twelve fellows, and fourteen scholars, besides a considerable number of exhibitioners: some of the exhibitions are for the peculiar benefit of Scotch episcopalians. The fellowships and scholarships, at Baliol (with the exception of two of each, which are confined to persons elected from Tiverton School), are open to the university in general, and are among those regarded as prizes for general competition, being given away on a bonâ fide examination to the best candidate. The master and fellows of this college enjoy a privilege possessed by no other in either university — that of electing their own visitor. Baliol has no gentlemen commoners. The number of commoners in residence is generally from sixty to seventy.

Merton College was enriched by the translation of a foundation by Walter de Merton, Bishop of Rochester, and Chancellor of England, from Malden, to Oxford, in the year 1274. Parts of the buildings belonging to this college, its curious library in particular, are regarded as the oldest specimens of collegiate architecture in Oxford. The foundation is for a warden, twenty-four fellows, fourteen *portionistæ* (vulgò, postmasters), four scholars, two chaplains, and two clerks. The postmasters correspond, in fact, to the scholars of other colleges. The fellowships are open to natives of all parts of England (not including Wales), with the exception of those of the dioceses of Hereford, Chichester, Exeter, Rochester, Lichfield and Coventry, Chester, and Carlisle. The fellows are elected, in practice, by favour, and not on comparison of literary merit; and Merton is among the colleges which are peculiarly distinguished for the association of members of good family and connection among their fellows. The independent members are not numerous, generally from fifteen to twenty gentlemen commoners and commoners. The chapel of Merton is a fine specimen of the English style of the fifteenth century.

Exeter College was founded in 1314, by Walter de Stapledon, Bishop of Exeter, with the title of Stapledon Hall; and the scholars from Hart Hall were then removed to it. The present foundation consists of a rector and twenty-five fellows, besides numerous exhibitioners. Some of the fellowships are confined to particular dioceses, others to particular counties, generally in the west of England; but, as far as is consistent with the terms of the foundation, the election to some of them is open to free literary competition. The independent undergraduate members are usually a small number of gentlemen commoners, and from 80 to 100 commoners.

Oriel College was founded in 1326, by Edward II., "on the suggestion of his almoner, Adam de Brome." The name is derived from a small house, or messuage, of some sort, called la Oriole in the old statutes of the house, which stood on the spot afterwards occupied by the foundation. This college has a provost, eighteen fellows, besides exhibitioners. Four of the fellowships are for the counties of Somerset, Dorset, Wilts, and Devon: the rest are

open to nearly unrestricted competition. They have been long regarded as among the most distinguished prizes which Oxford offers to academic merit, the election taking place on a severe examination. This college usually has from ten to twenty undergraduate gentlemen commoners, and from fifty to seventy commoners in residence.

Queen's College was founded by Robert Egglesfield, chaplain to Philippa, queen of Edward III., for the encouragement of students from the north of England. The old foundation consists of a provost and sixteen fellows, two chaplains, eight taberdars (so called from the taberd, or gown, which they formerly wore), twelve probationary scholars, and three clerks. The fellows must be elected from the counties of Cumberland and Westmoreland. There is also a new foundation, consisting of eight fellowships, four scholarships, and several exhibitions, founded chiefly out of the estates of John Michel, Esq., of Richmond, in Surrey, left by his will. These last fellowships are only for the term of eleven years; an unusual limitation in the university. They are open, and candidates elected, on free competition. The independent members are numerous: about 100 undergraduates are generally in residence.

New College was founded in 1386, by the famous William of Wykeham (already mentioned as the founder of Winchester college), for a warden, seventy fellows and scholars, ten chaplains, &c. The fellows and scholars are chosen by annual election from the college at Winchester, vacancies being filled up as they occur. Those of kindred to the founder are fellows at their first admission, without regard to age: the rest are considered as probationers, and termed scholars for two years. Members of this foundation are exempted from the university examinations, proceeding to their degree immediately, by virtue of a certificate from their college. Except a few gentlemen commoners, rarely exceeding six or seven undergraduates, this magnificent institution admits no independent members. It is remarkable, considering the want of stimulus to exertion which is supposed to result from their exclusion from the schools, how many members of New College have been distinguished as *prizemen* for their merit in classical composition. The chapel of New College is usually considered as the finest interior in Oxford, although falling far short of the inimitable chapel of King's at Cambridge.

Lincoln College was founded in 1427, by Richard Fleming, Bishop of Lincoln. The foundation now consists of a rector, twelve fellows (limited to the old dioceses of Lincoln and York, except one, which is confined to the diocese of Wells), eight scholars, &c. This college has generally from thirty to forty undergraduate commoners.

The college of *All Souls* was founded in 1437, by Henry Chichele, Archbishop of Canterbury; and his foundation remains unaltered. The college consists of a warden, forty fellows, two chaplains, and a number of clerks. The election of fellows to this splendid foundation is entirely unrestricted: the qualifications required by statute being, as has been often quoted by way of satire against the establishment, that the candidate must be "benè natus, benè vestitus, et in arte cantandi mediocriter doctus." In practice the fellows are elected from the university at large, either on the strength of personal interest with the electors, or on the score of qualification of birth, connection, and agreeable manners: and it has been for several years the aim of the college to incorporate in its number the most distinguished candidates who could be found in these respects, without any regard to scholastic attainment. This college is the only one in Oxford which subsists entirely as a society of graduates, admitting no independent members, and no students, except the few clerks attached to the establishment. The beautiful towers of All Souls, structures belonging to no particular school of architecture, were raised about the middle of the last century.

Magdalen College was founded in 1456, by William of Waynflete, Bishop

of Winchester and Chancellor of England. The foundation consists of a president, forty fellows, thirty scholars (called *demies*), and several inferior members. The fellows are variously limited to different dioceses and counties: the demies may be elected from any part of England from which any fellows are eligible, with the exception of the dioceses of York and Durham. This is one of the wealthiest collegiate foundations in England; but its elections are so restricted by statutes, that it is necessarily one of the closest. The only independent undergraduates are a few gentlemen commoners. Much of the architecture of Magdalen college is well worthy of notice; but its chief title to admiration is the elegant tower, which forms so prominent an object to those who enter Oxford from the east: it was raised in the reign of Henry VII.

The King's Hall and College of Brazen Nose was founded in 1509, by William Smith, Bishop of Lincoln, and Sir Richard Sutton of Prestbury, in Cheshire. Its name is derived merely (it is supposed) from the brazen nose which decorated, by way of knocker, the door of the old hall on the site of which it was founded. This college has received many benefactions since its first establishment. It has, at present, a principal, twenty fellows, thirty-two scholars, and several exhibitions. Both fellowships and scholarships are, for the most part, confined to natives of particular localities, with preference, in some instances, to the kindred of the various founders. This college usually holds in residence a small number of gentlemen commoners, and about 100 commoners.

Corpus Christi College was founded in the year 1516, by Richard Fox, Bishop of Winchester, for a president, twenty fellows, twenty scholars, and two chaplains. The fellows are elected from among the scholars, and the latter confined to various dioceses and counties. The undergraduate members not on the foundation are only six or eight gentlemen commoners.

Christ Church was originally founded by Cardinal Wolsey, and subsisted four years under his patronage; but at the period of his disgrace the foundation was still incomplete. King Henry VIII. first suspended, and finally re-established, it; and, in 1545, the episcopal see having been at the same time fixed at Oxford, this institution was placed on the double footing of a college and a cathedral. The foundation then consisted of a dean, eight canons, eight chaplains, &c., together with sixty students; to whom forty more were afterwards added by Queen Elizabeth, and one by a subsequent benefactor (William Thurston). The canons of Christ Church have houses provided for them within the college: they can marry, and are on the same footing with the canons of other cathedral churches. One canonry is permanently attached to the office of divinity professor; another to that of Hebrew professor. Of the students, sixty-one are nominated by the canons, these nominations being a matter of private patronage: they answer both to the scholars and fellows of other colleges, being elected as undergraduates, and retaining their studentships until death or promotion. Queen Elizabeth's forty are elected from Westminster college.

This magnificent establishment, the first in Oxford, and, in some respects, the first in England (Trinity College, Cambridge, being its only rival), gives, also, instruction to a great number of members not on the foundation. It has been, for many years, by prescription, the favourite place of education for noblemen, and for young commoners of rank and wealth. The number of noblemen varies according to accident, but usually comprises all those who attend the university. The undergraduate gentlemen commoners in residence generally vary from thirty to fifty: the commoners average ninety or a hundred. The buildings of Christ Church form a magnificent whole; but in detail, with the exception of the fine hall, they do not anywhere equal parts of some other colleges in architectural beauty. The old church of St. Fridiswida, now serving the double purpose of cathedral and college chapel, is a Norman building of high antiquity.

Trinity College was originally founded under the patronage of the priors and bishops of Durham; but that foundation having been suppressed at the Reformation, a college was endowed on its site by Sir Thomas Pope, in 1554, for a president, twelve fellows, and twelve scholars. The scholarships are open, and given to free competition. The fellows are elected either from actual or superannuated scholars, with no restriction, except that there cannot be more than two of the same county (with the exception of Oxfordshire, which may have five at the same time). There are several exhibitions: and a few undergraduate gentlemen commoners, and fifty or sixty commoners.

St. John's College was founded in 1557, by Sir Thomas White, alderman and merchant tailor. It consists of a president, fifty fellows and scholars, &c. Of the fellowships, six are for founders' kindred; seven appointed to particular endowed schools; the rest all to Merchant Tailors' school. The founders' kin are fellows on admission; the rest scholars (or probationary fellows) for three years. There are generally from thirty to forty undergraduate commoners in residence.

Jesus College was founded by Queen Elizabeth, in 1571, on the benefaction of Hugh Price, treasurer of St. David's; and has received additional benefactions. The foundation now consists of a principal, nineteen fellows, eighteen scholars, &c., mostly natives of Wales. The independent members, of whom there are generally fifty or sixty undergraduates, are, for the most part, from the same part of the island.

Wadham College was founded in 1613, by Nicholas Wadham of Merifield, in Somersetshire, and Dorothy, his wife, for a warden, fifteen fellows, fifteen scholars, &c. The fellows are superannuated after eighteen years. They are elected from the scholars: of these the greater part are admitted on open competition; a few restricted to particular counties. Resident undergraduates about fifty.

Pembroke College was founded by the endowment of the ancient Broadgate Hall, in 1624, by Thomas Tesdale, Esq., and the Rev. Richard Wightwick. The foundation now consists of a master, fourteen fellows, and several scholars and exhibitioners. The fellowships, and most of the scholarships, are variously limited to schools, districts, and founders' kin. There are from forty to fifty independent undergraduates in residence.

Worcester College was founded by the endowment of Gloucester, or St. John Baptist's, Hall, a very ancient institution, in 1714, by Sir Thomas Cookes of Bentley, in Worcestershire. The foundation now consists of a provost, twenty-one fellows, and sixteen scholars, besides exhibitioners. The fellowships and scholarships are founded by various benefactions; and the fellows all elected from the scholars of their various foundations. Some of the scholarships are open. There are of independent undergraduates usually from ten to twenty gentlemen commoners (called in this college fellow-commoners), and about sixty commoners.

The five surviving halls of Oxford are foundations not incorporated or endowed with estates, although some of them have a few exhibitions. The principals receive annual rents from the students inhabiting the halls, who are independent members. The chancellor of the university appoints the heads of halls (with the exception of St. Edmund's Hall, to which the provost and fellows of Queen's appoint). The independent members are in all respects on the same footing, with respect to the university, as those of the colleges. The tutorial department, in such of these halls as still serve the purpose of education, is in the hands of the principal and vice-principal. St. Mary's Hall, belonging to Oriel College, has from twenty to thirty undergraduates (gentlemen commoners and commoners); Magdalen Hall (to Magdalen College), ninety; St. Alban's Hall (to Merton), twenty; St. Edmund's Hall (to Queen's), forty; Newtown Hall (to New College), a few. Students frequently come to these halls more advanced in years than is usual among those

who commence their academical course in colleges; and the rules of residence are not, in some of them, as strictly enforced as elsewhere.

One college may be mentioned as an extinct establishment; namely, Hertford College, founded by endowment of the ancient Hart Hall, about 1740, dissolved in 1816; on the site of which the present Magdalen Hall is erected.

The number of names on the books of the colleges and halls, at Oxford, was, in 1835, 5,251; of which, as has been said, those of members of Convocation (*i.e.* all regent masters and upwards) were 2,551; leaving 2,700. How many of the latter were undergraduates in residence, it is not easy to ascertain; but, in all probability, the number does not fall materially short of 1,500.

Cambridge. — The organisation of the collegiate bodies, and their rules of government, at Cambridge, vary from those of Oxford only in a few unessential particulars. The three ranks of independent undergraduates, in the former university, are noblemen, fellow-commoners (so called originally from having their commons, or college dinner, at the same table with the fellows), and pensioners. With respect to the discipline and government of those *in statu pupillari*, it is to be observed, that students at Cambridge do not subscribe to the thirty-nine articles, either at matriculation or afterwards; although, on taking their degree of B.A., they are obliged to sign a declaration of adherence to the Church of England. Lodging in college is not enforced on undergraduates, if there be not room within the walls of the building to accommodate them. It is chiefly to this circumstance that the great increase of students at Cambridge, of late years, is to be attributed; the members of the other university being necessarily limited by the amount of room for lodging them. With regard to members on the foundation, the scholars of most colleges at Cambridge, being generally elected by free competition from among the undergraduate members, form rather a distinguished class among the students than a body distinct from the independent members, and chosen without free competition, as is generally the case at Oxford. A distinction exists between two different classes of fellowships in most houses at Cambridge, which is only partially known at Oxford; viz. between the foundation fellowships, and what are termed the bye-fellowships and appropriated fellowships: the former being part of the original endowments, and generally open to all the world; the latter, founded by subsequent donations, and frequently limited by local or other restrictions. In most colleges, the governing body is composed of the foundation fellows only; and they alone are eligible to college office. It has been already stated, that the general usage, at Cambridge, is for each college to elect its fellows from among its own members, whether scholars or independent: the chief exceptions to this rule occur in the small colleges, when they are in want of some individual to fill the office of tutor, and no satisfactory candidate presents himself in their own number.

In general, it may be said, that the Cambridge system is less strict in point of external discipline, and the undergraduates under rather less close control, than at the sister university; on the other hand, that emulation and close attention to study are more favoured and encouraged. All the regulations, both of the colleges and university, tend in this direction. Open competition, and rank according to merit, form the cardinal principles of the academical constitution, as far as it relates to students.

The system of public examinations pursued at Cambridge is, in many respects, very different from that which subsists at Oxford: its details will serve to show what is the character of the instruction, and academical discipline, of the university: as the public examinations are only intended to call forth and exhibit the results of that instruction.

The peculiar characteristic of Cambridge is, and has been for nearly two

centuries, the pursuit of the mathematical studies, and of those branches of natural philosophy which depend upon them. It is, probably, in consequence of the general attention to these studies that physical science, in all departments, has been more cultivated in this than in the sister university; but the proficiency of Cambridge men, in so many of those departments as are not immediately connected with mathematics, can only be regarded as an indirect result of the cultivation of the latter science; to which, and its cognate sciences, alone, the chief machinery of the place, the lectures both public and private, the honours and emoluments both of the university and the colleges, have hitherto been chiefly devoted. Classical study, although now carried to a very elaborate extent, is comparatively of very recent introduction.

The academical year at Cambridge commences with Michaelmas Term, when the several courses of lectures, &c., begin. At the end of each of the two first years college examinations are held, when the men of each year, as they are termed (*i. e.* all who have commenced residence at the same Michaelmas), are classed in order of merit. These examinations, in colleges of so great extent as Trinity and St. John's, almost partake of the nature of university competition.

The first university (or "previous") examination for the degree of B. A. takes place in the Lent term of the second year from that in which the student commences residence. This "little-go" is of recent introduction (1829). The subjects of examination are the elements of divinity (including the Evidences of Christianity of Paley, the favourite text author of Cambridge), and one Greek and one Latin author. After this examination, the candidates are merely arranged, alphabetically, in two classes; those who have passed with credit, and those who have passed simply. Rejected candidates must attend the next year's examination.

The "previous examination" is followed by the "exercises," performed only by those who aspire to honours. These relics of old scholastic fashion consist of Latin theses (generally on subjects of moral philosophy), which are propounded by the student who is candidate for the degree of B.A (the respondent), and answered by others, styled "opponents," in syllogistic form, in Latin, under the superintendence of the moderator. These exercises take place during the year preceding that in which the respondent intends to pass as B. A.

The practice of "degrading," or postponing for a year the degree of B. A., which had become common among students, gave rise to a recent statute, by which degraders are not allowed to present themselves as candidates for honours without special permission.

The senate-house examination for the degree of B. A. takes place every Lent Term; so that (contrary to the Oxford practice) all the men of the same year, except such as have degraded, enter into competition at the same time.

The questionists, or candidates, are first divided into six classes (depending on the exercises of the preceding year). The two last consist of those who are not candidates for honours. These are examined separately from the rest. Their examination lasts six days: it is entirely conducted on paper; and the subjects, or questions, and exercises proposed are the same for all. They are in Euclid's elements, arithmetic, and algebra, with some in the elementary parts of natural history; Homer and Virgil, including questions in grammar, history, and geography; Paley's Evidences and Natural Philosophy; and Locke.

The examination of the candidates for honours (mathematical tripos) is confined to mathematical and the cognate sciences; with the addition of questions in divinity, logic, and moral philosophy; which, however, are regarded as entirely subsidiary to the great purpose of the examination. It lasts seven days; the first five being entirely devoted to mathematics.

Each day is of five hours and a half; and, on the first four days, the same set of questions is proposed to all the four classes: on the fifth, there is a distinction taken in this respect between the first and last two. On the first day, the examination extends to "such parts of pure mathematics and natural philosophy as do not require the methods of the differential calculus;" and, during the successive days, it gradually rises in difficulty. On the sixth day, the four classes are examined in logic, moral philosophy, and divinity. On the seventh, or last day, the mathematical examination is resumed. In the morning of this day, the "brackets" are published. These are classes on the same principle with those into which the competitors are finally divided at Oxford; each containing, alphabetically, those who have shown themselves nearly equal in merit. After the close of this day, those most distinguished (thirty at least) are arranged in strict order of merit; being divided, by rather arbitrary lines, into the classes of wranglers, and senior and junior optimes; the highest of all being senior wrangler for the year: the greatest of English academical honours. The fifth and sixth classes (in the Cambridge idiom, *οἱ πόλλοι*, the many,) are also arranged according to merit. But, in all the classes, those between whom the examiners find themselves incapable of assigning a difference of merit are *bracketed* as equals.

Smith's Prizes are two annual prizes for commencing bachelors of arts in mathematics and natural philosophy. They are made the subjects of open competition shortly after the period of the mathematical tripos; and thus the adjudication of these prizes is, in some sort, the decree of a court of appeal, in which, sometimes, that of the examiners is reversed, and the second, or even a lower, wrangler becomes first prizeman.

The classical tripos, or examination, follows some weeks after the mathematical. It is a voluntary competition, to which those only who have obtained mathematical honours are admitted. It lasts four days; and the candidates are arranged, in order of merit, in three classes. The Chancellor's medals are annually given to two commencing bachelors of arts, senior optimes at the lowest, for classical merit. These, therefore, like the Smith's prizes, form separate subjects of competition: but it has very often happened that the same name has appeared at the head of the classical tripos, and as having obtained the first Chancellor's medal.

The characteristic of classical study, at Cambridge, is a minute attention to the critical peculiarities of the Greek and Latin languages. This is carried to a far greater degree of accuracy than at Oxford; and the system of examination is framed with a view to produce and elicit as much of this knowledge as possible. Thus the "questions," or select portions of ancient authors, given to candidates for the tripos for translation and elucidation, are usually selected either from their difficulty and grammatical or rhetorical peculiarities, or from their lying out of the line of ordinary reading, that the student may be thrown as far as possible on his own resources of general knowledge to explain them. Such a mode of examination would appear to imply a very extensive course of study on the part of the candidates. But that study, in general, although severe and accurate, is not very comprehensive. Close critical familiarity with a few authors of the better age supersedes a general acquaintance with the remains of classical antiquity. It seems as if the University of Cambridge had borrowed from its own mathematical discipline the usage of binding down the mind to exercise itself thoroughly in a narrow range of topics, during the short space of the three academical years which pass before the degree.

Original composition forms no part of the tripos examination. It is, on the other hand, a chief feature in the competition for the university scholarships. There are also annual prizes, as at Oxford, for several species of classical composition. It is in these exercises that the result, both of the previous knowledge and facility acquired at public schools, and of the critical

acumen attained at Cambridge, is evinced in the most brilliant, if not the most satisfactory, manner.

The present statutes of the University of Cambridge were granted by Queen Elizabeth. The senate, or legislative body of the university, consists of two houses, the regents and non-regents. But every *grace* (*i. e.* proposition submitted to the senate) must have the previous approbation of the council, called the caput: which consists of the vice-chancellor, a doctor in each of the three faculties, and two masters of arts, who in practice are all five nominated by him.

The principal officers of the University of Cambridge have nearly the same titles and offices with those of Oxford; namely, the chancellor, high steward, vice-chancellor, public orator (who is, as it were, the secretary of the senate, writing, reading, and recording letters to and from it, and presenting to honorary degrees), and the two proctors. There are also two officers peculiar to Cambridge, styled moderators, who are deputies of the proctors, and whose office is to superintend the public exercises and examinations.

The principal professors at Cambridge are, the regius professors of divinity, civil law, physic, Hebrew and Greek, appointed by King Henry VIII.; the Margaret professor of divinity, whose chair was founded by the mother of Henry VII., Margaret Countess of Richmond; the regius professor of modern history, appointed by King George I., in 1724. Besides these, there are two professorships of Arabic (one founded by Sir Thomas Adams, in 1632; and the other styled the Lord Almoner's professorship); the Lucasian professorship of mathematics; professorships of casuistry, music, chemistry, astronomy and experimental philosophy, anatomy, botany, geology, astronomy and geometry, natural and experimental philosophy, English law, medicine, mineralogy, political economy; and a third professorship of divinity, founded by John Norris, Esq., in 1768. As at Oxford, the appointment to some of these is vested in the senate, to others in the Crown, and to others in special bodies of electors.

The professors, as at Oxford, are not directly concerned in the public education of the place; although their lectures are, in general, better frequented, and more celebrated, than those delivered in the sister university. There are two exceptions to the former rule; viz. that persons proceeding to the lower degrees in civil law and medicine are obliged to bring testimonials of attendance on the lectures of particular professors. The following table exhibits the principal rules respecting the time required for proceeding to degrees at Cambridge. It will be observed, that the year, at this university, for the purpose of residence, consists only of three terms; residence in Trinity Term not being required.

Degree of *B. A.*, after twelve terms, of which ten in residence.

M. A., bachelors of arts of three years' standing.

Bachelor of Divinity, M. A. of seven years' standing; but, by a peculiar usage, persons are allowed to proceed to this degree at the end of ten years without having taken any other: styled ten-year-men.

D. D., B. D. of five years', or M. A. of twelve years', standing.

Bachelor of Civil Law must be of six years' standing complete, and have resided nine terms: a B. A. of four years' standing is also admissible to this degree.

Doctor of Civil Law, five years from degree of B. C. L., or seven from that of M. A.

Bachelor in Physic may be admitted after five years' standing, and nine terms' residence.

Doctor in Physic, same as doctor in civil law.

Licentiate in Physic, M. A. or M. B. of two years.

Bachelor in Music, required to enter his name at a college, and perform an exercise in his art.

Doctor in Music, generally a bachelor in music.

The following are the collegiate establishments of Cambridge, in order of foundation. It will be observed, that the name *Hall* is not given, as at Oxford, to houses without endowment: it is, in fact, used indiscriminately with *College*. The fellowships and scholarships are unlimited, or nearly unlimited, as to the birthplace or place of education of candidates, unless where otherwise specified.

St. Peter's College (commonly called Peter House), founded in 1257, by Hugh de Balsham, Bishop of Ely. The present foundation has fourteen fellows, besides ten by-fellows, and fifty-two scholars. One fourth of the foundation fellows must be in orders: ten are termed by-fellows, and are not entitled to offices in the college, or a vote in its affairs.

Clare Hall, founded in 1326, by Dr. Richard Badew, as University Hall; afterwards reconstituted by Elizabeth de Burgh, sister of Gilbert Earl of Clare. The society consists of a master, twenty-two fellows, and thirty-four scholars.

Pembroke College, founded in 1343, by Mary Countess of Pembroke, has a master, sixteen fellows, and twelve foundation scholars.

Gonville and Caius College was founded, as Gonville Hall, in 1347, by Edmund Gonville. John Caius, the celebrated physician, consolidated this foundation with a new one of his own in 1558. There are twenty-nine fellowships, of which twenty-one are open, the rest limited: two of the fellows must be physicians. There are also twenty-six scholarships, and four valuable studentships in physic, besides fourteen exhibitions. This college is the only one in either university, although both confer degrees in medicine, which has served, in reality, as a nursery for physicians.

Trinity Hall was founded in 1350, by William Bateman, Bishop of Norwich. Its twelve fellowships are usually held by graduates in the civil law, of whom two in orders.

Corpus Christi College (also called Benedict, or Bene't) was founded in 1351, by the brethren of two guilds, or corporate societies, in Cambridge. It has twelve fellowships, of which two appropriated to Norwich school, and two to natives of Norfolk. The present buildings of this college (commenced in 1823) are among the most elegant specimens of modern Gothic in either university.

King's College was founded in 1441, by King Henry VI., and by him connected with Eton College. The society consists of seventy fellows and scholars and a provost, all elected from the seventy scholars of Eton, by seniority, according to the system detailed under the head of Eton. They are elected fellows at the expiration of three years from their admission. By special composition with the university, the members of this house (like those of New College, Oxford) are exempt from the university examinations and exercises, and from the authority of the university officers within their own walls. The buildings of King's College are of several dates. The magnificent chapel was begun by Henry VI.: its construction was continued under several reigns; and it was completed, with money bequeathed by Henry VII., in 1515. The grand court adjoining to the chapel has been recently erected in a very sumptuous style; but, although the details of its architecture are mainly taken from those of the chapel, the general effect is strikingly dissimilar.

Queen's College was founded by Margaret of Anjou, in 1446. There are one by and nineteen foundation fellowships, limited in a peculiar manner. The head of this college is styled president. There are twenty-six scholarships.

Catharine Hall was founded in 1475, by Robert Woodlark, provost of King's. There are fourteen fellowships, of which six on the foundation; and forty-three scholarships.

Jesus College was founded in 1496, by John Alcock, Bishop of Ely. There

are sixteen foundation fellowships, which are thrown open by a recent statute. The master and fellows nominate two candidates on a vacancy, of whom the Bishop of Ely (the visitor) appoints one. There are forty-six scholarships and exhibitions.

Christ's College was founded in 1451, by King Henry VI.; additionally endowed by Margaret Countess of Richmond and Derby, in 1505. There are fifteen clerical and two lay fellowships, partially limited; and more than fifty scholarships and exhibitions.

St. John's College was founded in 1511, by the executors of Margaret, Countess of Richmond and Derby. This college has thirty-two foundation fellowships, now thrown open, by royal letters patent, to all natives of England and Wales; and thirty appropriated fellowships of different foundations. The electors are the master and eight senior resident fellows. There are 114 scholarships. This great college has been distinguished, for a long period, for the high mathematical qualifications required (in general) from its fellows; and, in this respect, a rivalry renewed at every university examination subsists between it and Trinity: but the latter college has, of late years, been decidedly superior in the classical distinctions acquired by its members. The buildings of St. John's have recently been increased by a large quadrangle on the left bank of the Cam; forming one of the finest collegiate edifices in England.

Magdalen College was begun in 1519, by Edward Stafford Duke of Buckingham; completed in 1542, by Lord Chancellor Audley. There are four foundation and thirteen by-fellows, with thirty-nine scholars.

Trinity College was founded by Henry VIII., in 1546, on ground which had been occupied by several suppressed colleges and hostels. It has a master and sixty fellows, elected from the scholars, graduates below the degree of M. A.; and sixty-nine scholars. The fellows (except two) must go into orders on the expiration of seven years from the degree of M. A. The government of the college is vested in the master and eight senior fellows. This magnificent foundation has acquired the first rank among the colleges at Cambridge for the number of its independent members in general, as well as of those of rank and fortune; and, also, for the high character which it bears as a place of education. The acquisition of a fellowship at Trinity may be considered as the highest collegiate honour in England, from the select character of the competition; the scholars being themselves chosen for merit out of the great body of the undergraduates of the college; while out of this distinguished class a further choice is made on the election of a fellow. The buildings of Trinity are the most extensive belonging to a single college in either university, as the number of its resident undergraduates is by far the greatest. The great quadrangle is the largest at Cambridge, and larger than any at Oxford. Neville's Court is remarkable for the elegant collegiate style of its architecture.

Emanuel College was founded in 1584, by Sir Walter Mildmay, Chancellor of the Exchequer in the reign of Elizabeth. It was regarded, in the early times of its foundation, as a seminary of puritan opinions. There are twelve original foundation fellowships, and three subsequently added.

Sidney Sussex College was founded in 1598, pursuant to the will of Frances Sidney Countess of Sussex. There are nine foundation fellowships, and three appropriated; and twenty foundation scholarships.

Downing College was founded in pursuance of the will of Sir George Downing, dated 1717. The college was not incorporated until 1800. When complete, the society will consist of a master, professors of law and medicine, sixteen fellows (of whom two clerical), and six scholars. All graduates of Oxford and Cambridge are eligible to fellowships. The lay fellowships are tenable only for twelve years.

The number of members on the books at Cambridge, in 1835, was 5,399: of

these the members of the senate were 2,459, remainder 2,940: it will be seen that these numbers are very nearly the same with those which represent the same classes at Oxford; and it is probable, that the undergraduates in residence are about equally numerous in each university: but Cambridge, from the circumstance of its accommodation for students not being restricted by the extent of the college buildings, is in a state of much more rapid increase. It has doubled its number since the commencement of the century. Trinity alone may have about 400 undergraduates, and St. John's 300.

It only remains to notice the establishments for the higher branches of education which have arisen of late years in the metropolis, Durham, &c., to which the character of universities can hardly be said, in strictness, to belong, inasmuch as the power of granting degrees has not been conceded to them.

The *London University* was founded by a company of shareholders, with a view partly to pecuniary advantage, and partly to supply general education, combining a more extensive range of subjects than those in which instruction is given at Oxford and Cambridge; and also for persons of every class of religious opinion. It was opened in October, 1828.

The literary character of the institution was borrowed from the universities of Scotland and Germany. It was not proposed to establish any system of academical residence and discipline; but merely to furnish education by means of lectures given by professors, paid by fees from their pupils; to institute public examinations, and prizes, for the benefit of such as attended these courses. Since the foundation of this establishment, various negotiations have been entered into to obtain for it a charter, with the academical privilege of conferring degrees, but without effect; and it is probable that these projects will now be superseded by the institution of a central board of examiners, empowered to confer degrees on individuals bringing certificates of attendance on the courses of this and the similar institution of King's College.

The government of the London University is vested in a council, elected by the proprietors. The council have the power of making regulations, accepting endowments, appointing officers, professors, tutors, &c. The university provides instruction in the three faculties of arts, medicine, and law. The professorships are thirty-two in all; viz. nine in literature, six in mathematical and physical sciences, three in ethical and political sciences, three in law, eleven in medicine: some of these are, however, vacant, and two are held with other professorships. The session of the university commences on the first of October for the medical classes, and first of November for the remainder. The manner of instruction in the Latin and Greek classes, and those of modern languages, &c., is, in general, catechetical, by daily examination in passages previously studied by the scholar; and by written exercises. In the classes attended by junior students there are frequent examinations; and two regular examinations, on the Cambridge plan, in the course of the year. A general university certificate, or diploma, is given at the close of three years' attendance in the medical, or general, school.

Such is the outline of the constitution of the university; but, hitherto, it has not had much success; the only portions of it which have answered the expectations of the founders, by furnishing regular collegiate courses of instruction, being the medical, mathematical, and classical departments. The remaining classes, such as those of law, natural science, philosophy, &c., have remained only partially connected with the establishment; being thinly attended, and in many instances, more numerously by independent auditors, not going through a regular course of education, than by those belonging to the latter class.

Connected with the London University is a preparatory school, which is well attended; a museum of anatomy, and an hospital.

King's College, London, is situated on ground presented to the foundation

by King George IV., forming the east wing of Somerset House. The funds for the erection and support of the institution were raised partly by donations and partly by shares. The government is vested in a council consisting of three classes; the visitor (the Archbishop of Canterbury), the perpetual governors by virtue of offices (viz. the Lord Chancellor, Archbishop of York, Bishop of London, and several other high functionaries), the governors for life, and the councillors simply. The establishment is divided into two parts, junior and senior. The junior department consists of the King's College preparatory school: connected with the establishment are nine other schools in different parts of the country. The senior department is divided into the general school, with sixteen professors in various branches; and the medical school, with nine. The chief difference between the two establishments consists in the fact of there being a divinity professor attached to King's College, which is instituted professedly, although not exclusively, for the institution of youth according to the tenets of the Church of England.

The University of Durham has been recently founded, chiefly by private endowment from the bishop and wealthy prebendaries of the diocese. The establishment consists of a warden, professors, tutors, readers, and lecturers; its professed object is, the furnishing instruction to students in the north of England, with a view to holy orders.

The same object is sought to be accomplished, on behalf of the poorer class of students in Wales, by the modern establishment of the College of St. David's, at Lampeter.

Mechanics' Institutes.— Exclusive of the instruction at the above-mentioned schools and colleges, considerable exertions have been made within these few years to diffuse instruction among tradesmen, mechanics, &c., in large towns, by the establishment of what have been called Mechanics' Institutes. These are supported partly by contributions, and partly by the subscriptions of the members. Short courses of lectures, illustrated with experiments, are given on the most popular and interesting branches of natural philosophy, and occasionally on departments of literature, moral philosophy, political economy, &c. Reading rooms are attached to the greater number of these institutions, which, speaking generally, are well attended. On the whole, we believe these establishments have been productive of considerable advantage. The instruction they supply is, no douht, very flimsy and superficial. But it notwithstanding serves to expand and inform the minds of the auditors; and is probably the most suitable for them. An improvement in the system of school education, by qualifying the members of Mechanics' Institutes the better to appreciate accurate scientific discussions, would be the most likely, or rather, perhaps, the only means by which to improve the lectures given at the institutions in question.

Sect. II. *Education in Scotland.*

Early History of Literature and Education.— Scotland, at an early period of her history, enjoyed comparatively few facilities as to education and literature. Her population being thin, her soil poor, and her position among the nations of Europe remote, she necessarily laboured under many disadvantages with regard to both. Druidism never extended so far north; and the first elements of knowledge which she possessed she owed to the introduction of the Christian religion.— (*Irving's Dissertation on the Literary Hist. of Scotland*, prefixed to his *Lives of Scottish poets.— Murray's Liter. Hist. of Galloway*, chap. i.) Some writers have contended that Christianity found its way into Scotland at a comparatively remote period; but Bede, the earliest writer on the subject, and whose testimony has obtained the sanction of Pinkerton and of our best authorities, refers this event to the beginning of the fifth century, and assigns the honour of it to St. Ninian, who died in 432. (*Bedæ Hist. Eccles. Gent.*

Angl. iii. iv.) This celebrated ecclesiastic founded a monastery at Candida Casa, now Whithorn, in the south of Scotland, and established a bishopric there: both the first known in that country. But it was not till the time of St. Columba, who came from Ireland (565) and settled in Iona, afterwards denominated Icolmkil, a small island on the west of Scotland, that the king and the nobility abjured paganism and became converts to the Christian faith. These two celebrated ecclesiastics, as they were the first to introduce Christianity, were also the first to introduce literature into this country. In their respective seminaries at Whithorn and in Iona, both secular and theological learning were taught; and the scholars and clergymen that issued from these establishments soon spread, not merely over Scotland, but over various countries on the continent. — (*Smith's Life of Columba.*) These seminaries, particularly Iona, were the source from which the stream of intellectual allurements was derived and maintained; from which, as Dr. Johnson happily said, "roving clans and savage barbarians derived the benefits of knowledge and the blessings of religion." It may here be mentioned that the successors of Columba, and those who adopted his theological views, are known in history under the name of *Culdees*, supposed to be a corruption of *Cultores Dei.* — (*Jamieson's Hist. of the Culdees.*)

Monasteries. — In these rude and unsettled times, Iona and its subordinate seminaries, of which there were many throughout Scotland, could not expect to continue undisturbed. Accordingly, after a brilliant career of about three centuries, Iona, the parent establishment, was rased to the ground by bands of Danish and Norwegian invaders, and its inmates massacred. It recovered, however, from this shock, and new buildings were erected, of which the remains at this day are extensive and magnificent; but it maintained only a sickly existence; and soon after the introduction and spread of the popish faith, it was superseded and fell into disuse. This latter event took place in the 12th century, when the religion of the Culdees, whose tenets and institutions were much simpler than those of the new religion, was entirely displaced by that of popery. One of the great objects, indeed, of the popish clergy, was to gain influence by the establishment of monasteries, and thus to supersede and suppress those of the Culdees. The first establishment of popish monasteries took place in the 12th century: indeed most of them were instituted at that time; and along with these, and under the same roof, they connected seminaries of education, which continued to be, for two or three centuries, the only seminaries in the kingdom. What literature and science prevailed were confined to the monks, and to those, whether laymen or clergymen, who availed themselves of the instruction which monastic establishments afforded. It was, indeed, a common practice among the barons and higher gentry to board their children with the monks for the advantages of education. (*Chalmers's Caledonia*, i. 768.—*Irving's Dissertation.*—*Jamieson's Culdees.*)

Foreign Universities. — It cannot be said, however, that, under the auspices of these monasteries, literature flourished very eminently. The character of these institutions gradually became deteriorated: licentiousness and ignorance usurped the place of religion and knowledge; and the cause of education suffered accordingly. Scotland, in the mean time, produced many distinguished scholars and authors; but most of them owed their chief acquirements to foreign instructors. So little, indeed, was the estimation in which native science was held, that, in 1282, Dervorgilla, the daughter of Allan Lord of Galloway, and wife of John Baliol, founded and endowed a college at Oxford for the reception of Scotch students; and, in 1326, a college, known by the name of the Scotch college, was founded and endowed at Paris by David Murray, bishop of Moray, for a similar purpose. Scotch students also resorted to Cambridge, Salamanca, and other seminaries on the continent. The students of the university of Cambridge were, in 1270, classed by nations, of which five English, *three Scotch*, three Irish, and two

Welch collegians, were invested with a kind of rectorial power, for the purpose of maintaining order among their respective countrymen. — (*Irving's Dissertation.* — *M'Crie's Life of Knox.* vol. i.)

Scotch Universities. — But Scotland enjoyed, at length, the advantages of universities founded within the limits of her own territory. That of St. Andrews, the oldest in the kingdom, was founded by papal authority in 1413; that of Glasgow, by the same authority, in 1450; that of Aberdeen, also with the sanction of the pope, in 1494, though education did not commence there till 1500; and that of Edinburgh, the only one instituted since the Reformation, in 1582. The university of St. Andrews consisted, at one time, of three colleges, instituted at different periods: St. Salvador's, St. Leonard's, and St. Mary's; but, in 1748, the two first were united, and the buildings of St. Leonard's were alienated and converted into dwelling houses. The university of Aberdeen consists of two colleges: King's, founded, as just stated, in 1494; and Marischal College, instituted and endowed by George Keith, Earl Marischal, in 1593. The universities of Glasgow and Edinburgh contain one college each. None of these colleges or universities can be said to be liberally endowed; and, with the exception afterwards to be mentioned, none of them owe any endowment to the Crown. They all owe their origin to the piety or love of learning of individuals, or of public bodies, not to the public spirit of the legislature. In early times the Romish church devoted some means to that purpose; the town council of Edinburgh expended, from time to time, very considerable funds on the university of that city, and a large number of private individuals, at an early period of the history of these seminaries, bequeathed sums for extending the buildings, or for assisting in endowing some particular professorship, or for the general benefit of learning within their walls. St. Andrew's has pretty ample endowments, arising from lands and feudal superiorities, insomuch, that taking one class with another, the independent income of the professors may average about 250*l.* a year. The two colleges of Aberdeen also possess considerable funds; the university of Glasgow is less richly endowed, while that of Edinburgh may be said to be unendowed altogether, the endowment not yielding, at an average, 50*l.* a year to the several professors, exclusive of the principal, two theological, and the *regius* professors. The latter occupy the chairs instituted by the Crown; to which an endowment, generally under 100*l.* sterling, has been assigned and is paid by the treasury. Of the other chairs, scarcely two are endowed alike; a circumstance that arises from the taste and partiality of the numerous individuals or bodies by whom funds were given or bequeathed to the university.

Bursaries. — Bursaries are endowments bequeathed for the support of students attending college. Of these some are enjoyed by the students only for a single year, and others for a longer period, generally for four years. Some of them, however, according to the will of the testators, are in the gift of private individuals, others of public bodies: some of them cannot be given but after a comparative examination of candidates; while persons of a particular name or from a certain district of the country have a preference to others. Bursars, also, according to the same authority, are not unfrequently required to follow a particular course of education, or must be at a particular stage of their college studies before they can be selected to receive the benefit of such endowment. The conditions, in truth, under which bursaries can be given away, or held, may be said to be as various as the number of their founders. The aggregate number of bursaries in the four universities is about 160.

Patronage. — The patronage of the greatest number (31) of university appointments is vested in the Crown. The professors, of the three oldest universities enjoy extensive patronage; while many chairs are in the gift of private individuals or of public bodies. In the university of Edinburgh the magistrates of the city possess the right of presentation to the offices of principal and of 24 professors.

Classes.—The number of professors in the different universities was originally very small. In the university of Edinburgh, for example, there was at first only one; a second was soon afterwards added; then a third; but there were not above six till nearly a century after its institution: these were, the principal, who was also professor of divinity; four *regents*, or professors of philosophy; and a regent of *humanity*, (*literæ humaniores*,) now restricted to Latin. Each of the regents, we may here mention, conducted his class for four successive years, including in his course of instruction almost every branch of science and literature; logic, metaphysics, ethics, mathematics, and physics. The college curriculum extended to four years under the same professor; at the end of which time the students, if found qualified, graduated as masters of arts; and if they were meant for the church, they had to place themselves under the tuition of the professor of divinity. In proportion as the human mind was expanded, and as the desire of knowledge increased, new subjects of instruction were introduced, and new chairs established; and, consequently, greater and greater division of labour in teaching — an arrangement at first unknown — was at the same time recognised. These remarks apply, in a greater or less degree, to all the Scotch universities; but as we have not space to trace the subject at greater length, or with greater minuteness, we shall present our readers with a synoptical view of the present state of education in these seminaries. In order to render this view the more distinct, we shall divide the subjects of it into four departments: I. Literature and Philosophy; II. Theology; III. Law; IV. Medicine.

Branches.	Edinburgh Number of Professors.	Glasgow, Number of Professors.	King's College, Aberdeen, Number of Professors.	Marischal College Aberdeen, Number of Professors.	St. Andrews, Number of Professors.
I. Literature and Philosophy.					
Humanity	1	1	1	1	1
Greek	1	1	1	1	1
Mathematics	1	1	1	1	1
Logic	1	1	None.	Logic and moral philosophy conjoined.	Conjoined with rhetoric.
Moral philosophy	1	1	1	1	1
Natural philosophy	1	1	1	1	1
Rhetoric and belles lettres	1	None.	None.	None.	Conjoined with logic.
Agriculture	1	—	—	—	None.
Universal history	1	—	—	—	—
Astronomy	1	1	—	—	—
II. Theology.					
Divinity	1	1	1	1	1
Divinity and church history	1	1	None.	1	1
Oriental languages	1	1	1	1	1
III. Law.					
Civil law	1	1	1	None.	1
Law of Scotland	1	None.	None.	Law of Scotland and conveyancing conjoined.	None.
Conveyancing	1	1	1	1	1
IV. Medicine.					
Theory of physic	1	Theory & practice of physic conjoined.	None.	None.	None.
Practice of physic	1	1	—	—	—
Materia medica and pharmacy	1	1	—	—	—
Chemistry	1	1	—	1	—
Surgery	1	1	—	None.	—
Anatomy and physiology	1	1	—	—	—
Military surgery	1	None.	—	—	—
Pathology	1	—	—	—	—
Midwifery	1	1	—	—	—
Clinical medicine	1	None.	—	—	—
Clinical surgery	1	—	—	—	—
Botany	1	1	—	—	—
Natural history	1	1	—	Conjoined with civil history.	—
Medical jurisprudence	1	None.	Only 1 professor of medicine.	Only 1 professor of medicine.	Only 1 professor of medicine.

Lectureships. — The King's and Marischal colleges, Aberdeen, have united in establishing lectureships, not professorships, on the following subjects: — Anatomy and physiology, surgery, materia medica, institutes of medicine, midwifery. These subjects are taught under the auspices of the two colleges, but the lecturers are not constituent members of the *Senatus Academicus;* a body composed solely of the professors. Marischal College has established two similar lectureships within its walls; but though the lecturers are not constituent members of the *Senatus*, we have thought it right, as they are virtually entitled to the distinction, to include them in the list of professors.

Constitution of the different Universities. — The professors in the different colleges and universities form the constituent members of the *Senatus Academicus* of each. The *Senatus* has the privilege of conferring degrees; of determining the academical *curriculum*, and the uncontrolled management of their own affairs. There are two other functionaries, but those entirely of a civil nature, connected with these seminaries, — the Chancellor and Lord Rector. The chancellor is merely a nominal officer; but his duties, when they did exist, were of a visitorial nature; he also had the honour of presiding in the councils of the university. He is chosen by the *Senatus;* and his term of office is for life. The Rector is, in point of dignity, subordinate to the chancellor; but his powers have not, like his, fallen into abeyance: on the contrary, they are often called into exercise. He is the guardian of the statutes, privileges, and discipline of the university; and has the superintendence of all matters connected with the civil affairs of the seminary. He is, also, the judge ordinary, who, with the advice of assessors, generally chosen from among the professors of theology and law, hears and determines causes. The Rector is elected by the students, who are divided into four classes or sections, each section choosing a delegate. In case of an equality of votes, the former rector decides the preference. He is elected only for a year, but the same person is generally continued in office for two, sometimes for three years. The university of Edinburgh forms, in many respects, an exception as to these matters. It has no chancellor, and the Lord Provost of the city is Lord Rector *ex officio;* but this office had fallen into desuetude till within the last few years, when it has been nominally revived. The magistrates, whose predecessors may be regarded as the founders of the university, and who have been at all times its munificent guardians, assume the power, though it has of late been questioned, of instituting new professorships, and of altering or modifying the academical curriculum. They are officially styled the patrons of the university. The Crown also assumes the right of instituting new professorships. The principal is officially at the head of the *Senatus*, and presides at its meetings. At one time, it was his duty to visit the different classes in the college, to examine the students as to their proficiency, and to see that the professors did their duty. But these duties have, of late, been either almost or altogether laid aside. It is necessary that the principal of St. Mary's College, St. Andrew's, and of the University of Edinburgh, be a clergyman, as the former is exclusively a theological seminary, and as in the latter the principal is also officially first professor of divinity, though in this latter capacity no duties now devolve on him. In the other colleges, the principal may be a layman, though such is seldom the case. It is not incompetent for the principal to hold a professorship, or a living in the church: indeed such has generally been the case. — (*Grierson's History of St. Andrew's.* — *Bower's History of Univ. of Edinburgh.* — *Arnot's History of Edinburgh.* — *Cleland's Annals of Glasgow.*)

The following list (exclusive of the five lectureships, already referred to) contains the number of chancellors, rectors, principals, and professors in the Scotch universities, with the dates respectively of the foundation of these seminaries: —

	When founded.	Chancellors.	Rectors.	Principals.	Professors.
St. Andrew's - -	1,413	1	1	2	11
Glasgow - - -	1,450	1	1	1	19
Aberdeen, King's College -	1,494	1	1	1	9
— Marischal College	1,593	1	1	1	12
Edinburgh - -	1,582	None.	1	1	30

Number of Students. — The number of students who attend the Scotch universities is less now than it was 30 years ago; a result that cannot justly be attributed to the decay of learning or inefficiency of instruction in these institutions, for both learning and the mode of teaching, if changed, have been improved within that period. It results solely from other circumstances; of which we shall glance at only one or two. On the termination of the war in 1815, the opening for young men in the army and navy being comparatively shut, no small number of them had recourse to the learned professions, and thus swelled the number of students. From this great supply, the professions in question were soon overstocked, as is still the case; and now that the demand has ceased, the supply necessarily is diminished. Hence the universities suffer. The second cause consists in the present comparatively great expense of a college education. Not only are the class fees the same as during the war — though the price of every other commodity has fallen a third or a fourth — but the medical curriculum has been greatly enlarged both by the addition of classes not formerly reckoned essential, and by extending the time of study to at least four years. The recent institution of two colleges in London, and of one in Durham, may also have tended to withdraw students from the Scotch seminaries; not to speak of the erection of medical schools in Liverpool, Manchester, and other large towns. It is to these causes, and perhaps to others, to which we have not room to advert, that the reduction in the number of students must be attributed; not to any falling off in the character of the universities. Of one thing, also, we are sure that, during the period in question, the desire for knowledge has not only increased, but increased exceedingly. The aggregate number of students in the Scotch universities is, at this moment, above 3,400; of which Edinburgh has 1,580; of the remaining 1,820, Glasgow has above two thirds. The attendance at St. Andrew's and Aberdeen, particularly the former, is comparatively small.

The following table shows the number of students that annually matriculated in the university of Edinburgh from 1791-2 to 1835: —

Years.	Students.	Years.	Students.	Years.	Students.
1791–1792	1,279	1823–1824	2,273	1830–1831	2,023
1799–1800	1,330	1824–1825	2,198	1831–1832	1,923
1809–1810	1,980	1825–1826	2,134	1832–1833	1,908
1815–1816	2,097	1826–1827	2,141	1833–1834	1,754
1820–1821	2,116	1827–1828	2,102	1834–1835	1,662
1821–1822	2,181	1828–1829	2,161	1835–1836	1,580
1822–1823	2,344	1829–1830	2,099		

This list contains the whole number matriculated during both the winter and summer sessions, as also all the theological students, whether regular or partial in their attendance. The greatest number of students was in 1822-3, when they amounted to 2,344. Since that time, the number has been regularly diminishing, particularly during the last three years; so that the total falling off since 1822-3 amounts to no less than 764.

The following table shows the proportion in which the decrease has taken place in the different faculties.

Years.	Literature and Philosophy.	Medicine.	Law.	Divinity.
1822–1823	930	867	274	273
1823–1824	907	870	260	252
1824–1825	939	777	233	249
1825–1826	822	891	298	223
1826–1827	761	858	286	236
1827–1828	738	807	335	222
1828–1829	745	859	301	256
1829–1830	716	896	277	210
1830–1831	676	840	292	215
1831–1832	650	810	273	190
1832–1833	627	824	273	184
1833–1834	602	718	241	193
1834–1835	529	703	240	190
1835–1836	511	679	217	173
Decrease since 1822–1823	419	188	59	100

Number of Graduates in Medicine. — The first attempt to have the different branches of physic regularly taught in the university of Edinburgh, was made so recently as the year 1720: soon after which, five professors in that faculty were appointed; and that number has been gradually augmented till the present time. Reckoning from 1726 to 1826, the total number of graduates amounted only to 3,070, or to an average of 30 *per annum*. But for the last twenty years the average is considerably above 100 a year.

Years.	Number of Graduates.	Years.	Number of Graduates.	Years.	Number of Graduates.
1815	82	1828	93	1832	112
1817	92	1829	99	1833	110
1820	121	1830	107	1834	110
1826	119	1831	120	1835	117
1827	160				

College Discipline. — The students are not required to reside within the walls in any of the Scotch universities, though when their numbers were small, and at an early period in the history of these seminaries, residence was imperative. They now reside wherever they may find convenient: it is enough that they attend the classes which they have entered; and observe becoming behaviour in their class-rooms, and within the precincts of the university. The superintendence of their respective professors, or of the *Senatus*, does not extend farther. Nor are they required to use any distinguishing academical dress, except in certain classes, in the University of Glasgow. Admittance to any of the Scotch colleges is not attended with any religious test, nor are there any religious exclusions. All sects enjoy the same privileges, whether Jew or Christian, catholic or protestant, episcopalian or presbyterian. No distinction in these matters is either known or thought of. The professors, however, are required by law to be presbyterians, and to subscribe the Confession of Faith, and the standards of the established church; but this law is sometimes overlooked, and it is supposed to be falling rapidly into desuetude. The session lasts between five and six months, beginning in some of the universities in October, in others early in November; and terminating in the end of the ensuing month of April. There are in some of the colleges summer classes,

which, however, last only three months, or from the beginning of May till the end of July. Each student must enrol his name in the *College Album*, and pay 1*l.* for a matriculation ticket, whether he mean to attend one class only or any greater number.

It may here be mentioned that a Royal Commission was appointed in 1826, for visiting the universities and colleges of Scotland; that the Commission took evidence and examined into the mode in which the universities were conducted, — the system of instruction, their property, the appointment of professors, and into the whole state of these institutions; and that they gave in a voluminous report in 1830. Nothing has yet been done in consequence of the recommendations contained in that report; but a bill, founded on them, is at present (1836) before Parliament. The leading provision of this bill is the appointment, by his Majesty, of a general board of visitors over the several universities, as also of specific boards for each of those institutions; these visitors to have the same powers as those at present vested in his Majesty by his visitorial character, such as reforming the curriculum, abolishing old professorships and instituting new ones; regard being always had for vested rights. The board of royal visitors to terminate at the end of three years. It may also be mentioned that a similar board of visitors was temporarily appointed for the Scotch universities in 1690; and that the rules and regulations that have obtained in these seminaries, from that period to the present date, are substantially those determined and enacted by that board. There is, however, a good deal of matter that is much, and perhaps justly, objected to in the present bill, and there is but little probability of its passing in its present state.

Parochial Schools.

History. — We formerly stated, when speaking of the Scotch universities, that monasteries contained at one time the only seminaries of education then known in Scotland; and if any schools existed in the larger burghs at that very early period, they were under the patronage of some religious house. Long prior to the Reformation there seem to have been such seminaries where Latin was taught, as also common elementary institutions called "lecture schools," for affording instruction in the vernacular tongue. It was indeed so early as 1494, that the subject attracted the attention of the Scotch parliament; at which time it was enacted that "all barrones and freehalders that are of substance, put their eldest sonnes and aires to the schules, fra thay be six or nine years of age, and to remaine at the grammar schules quhill they be competentlie founded, and have perfite Latin; and thereafter to remaine three years at the schule of art and jure, [law] swa [so] that they have understanding of the lawes." — (*Acts of the Scotch Parliament*, 1494, c. 54.) These grammar schools, however, were generally attached to some religious establishment, and were all not only subject to the church, but considered as forming part of the ecclesiastical establishment. — (*Dunlop's Parochial Law, § Schools.*)

After the Reformation, the establishment and maintenance of schools became an object of constant and anxious attention on the part of the protestant clergy. Even in the First Book of Discipline, composed in 1560, it was recommended that every parish where there was a town of any reputation should have a schoolmaster, "able to teach the grammar and Latin tongue;" and that in landward parishes the minister "take care of the youth of the parish to instruct them in the rudiments, particularly in the catechism of Geneva." The Church never lost sight of this object: many acts of the General Assembly were passed on the subject; and when applying for the restitution of the church property, the endowment of schools was never forgotten by the ecclesiastical courts. — (*Buik of the Universal Kirk.* — *Dunlop, ut supra.*) But though the clergy uniformly exerted themselves to the

utmost, and took the subject of education exclusively under their superintendence, and of course used all their influence with the legislature to co-operate with them in carrying their views into effect, it was not till the year 1616 that the government can be said to have interfered. In that year the Privy Council interposed their authority, and enacted, "that in every parish of this kingdom, where convenient means may be had for entertaining a school, a school shall be established, and a fit person appointed to teach the same upon the expense of the parishioners, according to the quality and quantity of the parish." Episcopacy then predominated; and this act was directed to be carried into effect "at the sight and by the advice of the bishop of the diocese in his visitations." In 1633 the act of Council was ratified in Parliament. — (c. 5.) This was the first legislative enactment authorising the establishment of parish schools; and it provided also so far for their endowment. The bishops of the several dioceses were empowered, with the consent of the landholders, and the majority of parishioners; and if the former refused, with the consent of the latter alone, "to set down and stent upon every plough and husband-land, according to its worth, for the maintenance and establishing of the said school." — (*Dunlop, ut suprà.*)

During the civil wars a more enlightened act was passed (1646, c. 46.), which, though rescinded at the Restoration, was adopted almost *verbatim* in the celebrated statute of William and Mary in the year 1696, the foundation of the present parochial system. This latter statute is as follows. The estates of parliament "considering how prejudicial the want of schools in many congregations hath been, and how beneficial the providing thereof will be to the kirk and kingdom, do therefore statute and ordain that there be a school founded, and a schoolmaster appointed, in every parish (not already provided), by advice of the presbyteries; and to this purpose, that the heritors (landholders) do in every congregation meet among themselves, and provide a commodious house for a school, and modify a stipend to the schoolmaster, which shall not be under 100 merks (5*l.* 11*s.* 1⅓*d.*) nor above 200 merks (11*l.* 2*s.* 2⅔*d.*), to be paid yearly at two terms,"&c. The land was burdened with the payment of this stipend according to valuation. And on the failure of the heritors to carry into effect the provisions of this law, the several presbyteries were authorised "to nominate 12 honest men within the bounds, who shall have power to establish a school, modify a stipend for the schoolmaster, and set down a stent tax for the heritors, which shall be as valid as if done by themselves." — (*Acts of the Scotch Parliament; Dunlop.*)

The provisions of this statute were carried into effect immediately in most parishes, though in others not till a comparatively recent date. In some few parishes, however, situated in remote parts of the country, the statute has been a dead letter till within the last few years; and even in the populous and important parish of North Leith, there never yet has been a parish school, though the heritors are now taking steps to have one established. There is also no parish school in Closeburn, though its place has been admirably supplied by a school founded and amply endowed, in 1723, by John Wallace, a native of the parish, who realised a considerable fortune in Glasgow. — (*New Stat. Acc. of Scotland, § Parish of Closeburn.*) But it may be said, with extremely few exceptions, that every parish is now provided with one or more schools, with the legal salary attached to them.

Salary of Schoolmasters. — The stipend or salary of schoolmasters continued as fixed by the statute of William and Mary, 1696, till 1803, when it was enacted (43 Geo. 3. c. 54.), "that from and after the term of Martinmas next, the salary of each parochial schoolmaster, in every parish in Scotland, shall not be under the sum of 300 merks Scots (16*l.* 13*s.* 4*d.*) *per annum*, nor above the sum of 400 merks (22*l.* 4*s.* 5⅓*d.*), except in the cases herein-after mentioned." These exceptions are thus explained: — "That in case of those parishes which consist of districts, detached from each other by the sea, or

arms of the sea, or of one or two islands, or where it is otherwise of great extent or population, so that one parochial school cannot be of any effectual benefit to the whole inhabitants of such parishes, it shall be competent to the heritors and minister, if they shall see cause, on fixing a salary of 600 merks, or the value of three chalders of oatmeal, to divide the same among two or more teachers, according to the extent and population of the parish," the mode in which these proportions shall be applied being fixed by the statute. But in such cases as the heritors have to pay a higher salary, they are exempted from the obligation of providing school-houses, dwelling-houses, and gardens, for the teachers among whom this higher salary is to be divided. To the other teachers, with the salary above specified, the heritors have to provide " a commodious house for a school," a dwelling-house, " not to consist of *more* (it is supposed that *less* was meant) than two apartments, including the kitchen," together with ground for a garden, which shall contain, at least, a quarter of a Scotch acre. This garden is to be inclosed, but in lieu of the garden, it is competent to make an addition to the salary of the teacher, at the value of eight bolls of oatmeal per acre; the value of this allowance to be determined by the fiar prices of the year. The salary cannot be diminished; but provision is made for its being augmented at the end of every 25 years from the passing of the act. This augmentation proceeds on the following principle. At the date of the passing of the act, the chalder of oatmeal was estimated at 200 merks. At the end of each 25 years, the value of the chalder is to be determined by the fiar prices throughout the different counties of Scotland; and according as that value is higher than 200 merks, the salaries of the schoolmasters are to be proportionally augmented. In 1828, the end of the first 25 years, the salary of each parochial schoolmaster, agreeably to this principle, was raised upwards of a third; the *maximum* in a parish where there is only one endowed school, being 34*l.* 4*s.* 4⅘*d.*; the *minimum*, 25*l.* 13*s.* 3⅗*d.* At the end of another period of 25 years, another augmentation may take place; but, whatever be the price of grain, the salary cannot be lower than the sum already fixed. — (43 Geo. 3. c. 54. — *Dunlop.*)

Number of Schools. — From the provisions of the act of the 43 Geo. 3., as stated above, it appears that certain parishes may have one or more endowed schools; and such is the case. There are 916 separate parishes in Scotland, exclusive of the *quoad sacra* parishes; and the total number of schools, endowed by the act in question, amount to 1,162; so that there are 146 secondary or *side* schools endowed. Generally, there is but one secondary school in a parish, but sometimes more. Taking the average salaries of these 1,162 schools at 27*l.* 10*s.*, which is about the mark, the annual endowment amounts to 31,955*l.*, exclusive of school-houses, dwelling-houses for the teachers, and garden.—(*Report relative to the Fund for the Relief of the Widows and Children of Burgh and Parochial Schoolmasters in Scotland for* 1835, p. 120.) This endowment, including all Scotland, amounts to about 16*s.* per 100*l.* of the valued rental.

Branches of Education. — The heritors and ministers of parishes have the power of determining the branches which a schoolmaster, on induction, must be competent to teach. These, of course, vary somewhat in different parishes. In burghs, there is often a separate school for classics only; sometimes, classics and French. But taking the whole parochial schools, the branches are very numerous: Latin, Greek, French, arithmetic, mathematics, geography, book-keeping, and the more elementary departments of an English education. There are very few schools whose teachers do not undertake all these branches, except, in some instances, Greek, French, and mathematics. In *side* schools, however, the classics are seldom required as a necessary qualification on the part of candidates for the office. The law makes no provision for the payment of assistant teachers; if an assistant be employed, he falls to be paid by the person employing him. Most of the

teachers have received a university education. In the three counties, for example, of Aberdeen, Banff, and Moray, out of 137 teachers, there are only 20 who have not studied at college. — (*Report, ut suprà.*)

Induction of Schoolmasters. — When a parish school becomes vacant, the election of a person to fill up the office must be made within four months from the date of such vacancy. The right of election resides in the heritors and minister of each parish: but, if the election should not take place within the time specified, the privilege of appointing the teacher, *tanquam jure devoluto*, is transferred to the commissioners of supply of the county. But, though the right of election rests with either of these parties, the person chosen by them is not really schoolmaster till he have undergone an examination before the presbytery, which has the power, if he be found unqualified, or if his moral character be objectionable, to nullify the election; in which case a new election must take place. The decision of the presbytery is final in all matters respecting schoolmasters; unless when a civil question arises, which may be carried by the teacher before the court of session. All parochial schoolmasters must be members of the establishment, and are required, on induction, to subscribe the confession of faith, and the standards of the church. Every presbytery is understood, by means of a deputation of their members, to visit and examine the various schools within their limits once every year; they should also report, annually, on the state of schools to the General Assembly; but this is not uniformly done.

Burgh Schools. — The provisions of the act 43 Geo. 3. are expressly declared not to extend to the case of "a parish which consists only of a burgh, or a part of a royal burgh." The truth is, schools were established in most of the royal burghs, and endowed by the magistrates, long prior to the establishment of parish schools. The election of schoolmaster for royal burghs is vested in the magistrates; and the authority and superintendence of the church are not recognised in such cases. In some burghs the endowment of the school is derived partly from the heritors, and partly from the magistrates; but, even in this case, the latter possess the right of nomination, and exercise full control over the schoolmaster, independent either of the presbytery or heritors. — (*Dunlop, § Burgh Schools.*) The aggregate number of 1,162 schools, given above, includes burgh schools.

School Fees, &c. — The heritors and minister have not only the right of determining the branches of education which a schoolmaster must be qualified to teach, but also of fixing the amount of fees to be paid by the scholars. The schoolmaster is farther bound to teach gratuitously "such poor children of the parish as shall be recommended by the heritors and minister, at any parochial meeting." — (*Dunlop.*) In the three counties of Aberdeen, Banff, and Moray, out of 7,674 scholars, there are 767, or a tenth of the whole, thus taught gratuitously; but this, we have reason to think, is above the average of the kingdom. The fees are, in general, exceedingly low; sometimes so low as 1*s.* per quarter for English. In the burghs, they are about 5*s.* per quarter for English, writing, and arithmetic; and 7*s.* 6*d.* for languages. The following list shows the ordinary amount of fees for different branches, in the three counties now mentioned; and we believe that, with very little variation, it may be applied to all the parochial schools of Scotland: it is, indeed, rather above than below the average: —

Branches.	Fees per Quarter.					
English reading	from	1*s.*	6*d.*	to	2*s.*	6*d.*
English, with penmanship	—	2	0	—	3	6
English, penmanship, and arithmetic	—	2	6	—	4	0
Mathematics	—	3	0	—	10	6
Latin	—	2	0	—	7	6
Latin and Greek	—	5	0	—	10	6
French	—	5	0	—	10	6

Geography and English grammar are sometimes taught, in conjunction with English, without any additional fees: at other times, an additional charge is made. Courses of bookkeeping, navigation, or mensuration are generally charged separately, being from 10*s.* 6*d.* to 21*s.* each course. — (*Report of the Trustees of Dick's Bequest.* Edin. 1835.)

The following table shows the relative numbers (in the counties of Aberdeen, Banff, and Moray) that were found studying different branches of education; the total number of scholars being 7,674. This table may be regarded as nearly applicable to all the parochial schools of Scotland. — (*Report of Trustees, &c.*)

Branches.	Number of Scholars.	Branches.	Number of Scholars.
English - -	7,400	Geography - -	175
Writing - -	4,105	Latin - -	433
Arithmetic - -	2,422	Greek - -	36
Mathematics -	122	French - -	2

We have previously stated the average fixed salary of parochial teachers at 27*l.* 10*s.*; and we do not think that, at an average, the school fees amount to a larger sum; so that their annual income may be taken at about 55*l.*, exclusive of house and garden. In the majority of parishes, however, they have slight additional emoluments, arising from their being session clerk, and, in some instances, precentor. They also have small perquisites for making up militia lists, enrolments under the Reform Act, &c. But, including all these sources of emolument, we are rather beyond the mark when we say that their average incomes do not exceed 60*l.* a year. But in many parishes, perhaps about 100, money has been placed in *mortmain*, or bequeathed by benevolent individuals for the better endowment of parish schools, in addition to the legal salary. The revenue arising from this source, which is often very trifling — not exceeding 1*l.* or 2*l.* a year, though sometimes very considerable — is not included in the foregoing calculation.

Society for Propagating Christian Knowledge.

But parish schools — admirable though they be as far as they extend — are too few and too thinly scattered to embrace the children of the entire community. This deficiency seems to have been felt even at a time when the population of Scotland was only about half what it now is; and means were adopted to supply it. So early, indeed, as the year 1701, a few private individuals in Edinburgh formed themselves into an association now well known under the title of "The Society in Scotland for propagating Christian Knowledge;" the object of which was, by means of schools, to disseminate religious instruction, and thus to promote moral improvement. The General Assembly lent their countenance to the plan by issuing proposals (in 1707), in the view of forwarding the objects for which the society was instituted. In 1709, it obtained the patronage of Queen Anne, who granted letters patent under the Great Seal of Scotland for erecting the subscribers into a corporation. The grand object of the society, as described in the patent, was, as it still is, "the promoting of Christian knowledge, and the increase of piety and virtue within Scotland, especially in the Highlands, islands, and remote corners thereof, where error, idolatry, superstition, and ignorance do mostly abound, *by reason of the largeness of the parishes and the scarcity of schools.*" The schools instituted and supported by this society are of two kinds. Those on the first patent (granted by Queen Anne) are exclusively for literary and religious education: those on the second patent (granted by George I.) are chiefly schools of industry for the instruction particularly of female children in spinning, knitting, sewing, &c.;

but where the ordinary branches of education are also taught, when there is no other school in the neighbourhood. The second patent schools are taught solely by females. The society has also under its employment catechists and missionaries, which last are ordained clergymen of the established church. The duty of the catechists is to go from house to house, in a given district, to read and expound the Scriptures to the different families, and to catechise or examine them. The society has accumulated a capital of about 100,000*l.*,—the result of donations, annual contributions, and legacies. The capital is vested in land, mortgages, and government funds. They have an annual sermon preached in Edinburgh, when a collection is made for behoof of the funds. All these sermons have been published, and have appended to them the reports of the society. The following table shows the extent of their operations, which have regularly been increasing, in 1835. — (*Scheme of the Society's Establishment*, 1835. *Report for* 1833, *containing a History of the Society by John Tawse, Esq. Advocate.*)

Number of Schools, &c.	Average Number of Scholars in each.	Total Number.	Average Salaries.	Total annual Amount of Salaries.
			£ s. d.	£ s. d.
159 schools on first patent -	79⅓	12,619	15 13 0	2,488 10 0
94 schools on second patent	20$\frac{36}{47}$	1,952	5 1 1	479 0 0
29 superannuated teachers on first patent -	- -	500	11 11 0	335 0 0
20 do. on second do. -	- -	- -	4 13 0	93 0 0
9 missionaries - -	- -	- -	43 6 8	390 0 0
29 catechists - -	- -	- -	9 6 6⅔	270 10 0
340		15,071		4,056 0 0

All the society's teachers, male and female, receive fees from their scholars. All the teachers on the first patent have a house, garden, and pasture for a cow, — accommodations generally, if not always, contributed by the landholders of the place in which the school is placed; indeed, as a condition of its being so placed. The landholders, it may be remarked, have been always found extremely liberal on this point, and in every other respect as regards this excellent society. The operations of the society may be said to be confined exclusively to the Highlands and islands: at least, of 340 functionaries, only six teachers and one missionary are stationed south of the Forth and Clyde. When the society was instituted, neither the Bible nor any religious book had been translated into the Gaelic language: they have supplied this great defect. Not only have they had the Scriptures translated into that language, but a great variety of religious works, either solely or partially at their own expense. All the teachers are obliged to teach Sunday schools. — (*Scheme and Report*, as last quoted.)

The General Assembly's Education Committee.

But, notwithstanding all that the Society for propagating Christian Knowledge had done, the state of education in the Highlands and islands was found to be very defective. In 1824, the General Assembly appointed a committee to inquire into the existing state of education and religious knowledge throughout Scotland. This committee ascertained that, in the south and east parts of the country, the number of schools was ample, and that scarce an individual could be found who had not been taught to read. The result of their inquiries as to the rest of Scotland was far from being so favourable. They discovered that, in the north-west parts, there were not fewer

than 10,500 children, under 15 years of age, destitute of the means of education, and that not less than 250 additional schools were necessary: and they have since ascertained that the total number of persons of both sexes, of six years of age and upwards, in all the parishes of the Highlands and islands, unable to read either in the English or Gaelic language, amounts to 83,397. Nor is the state of education in the Lowlands, particularly in cities, found to be so favourable as the committee at first was led to believe. In five parishes in Glasgow, for example, it has recently been proved that there are no fewer than 1,432 persons of both sexes, of 15 years of age and upwards, unable to read.

The General Assembly's Committee has been annually continued; and has now, indeed, become a permanent body. By means of subscriptions, donations, church collections, and bequests, they have accumulated a capital stock of upwards of 7,000*l.*, and their annual expenditure is between 2,000*l.* and 3,000*l.* They have 89 schools in operation; and they contemplate a speedy extension of the number. A Sunday evening school for giving instruction in religion is attached, as part of the system, to each of these seminaries. To teachers who can teach the higher branches, such as Latin, mathematics, &c., they give a salary of 25*l.*; to those professing to teach only the ordinary elementary branches, 20*l.* The teacher has, besides, the free accommodations of a school and dwelling-house, with a garden, fuel, and a small croft; accommodations either provided by the heritors, or by the people immediately interested, on the same principle as that (explained above) adopted by the Society for propagating Christian Knowledge. The teachers are allowed to charge fees, to the same amount as are levied at the parish school; but in many instances no fees can be obtained, owing to the poverty of the people: in others, reduced fees are taken; and when full or partial fees are paid, it is not always in money, but sometimes in produce or kind, and sometimes by an equivalent in assisting the teacher in his garden or croft. It is ascertained that the total amount of fees does not exceed 5*l.* per annum for each teacher. There are libraries attached to the schools, the books being issued for the benefit of the scholars, and of those who attend the Sunday evening schools.

From returns made from 82 of the schools, the results are as follows: —

Number of Schools.	Total Number of Scholars.	Number of Scholars paying no Fees.	Number paying equivalents.	Number paying less than 5*l.* a year.	Number who pay more than 5*l.*
82	6,805	1,650	1,610	3,137	409

The following table gives a view of the existing state of these schools: —

Total Number of Schools.	Total Number of Scholars.	Numbers learning.							
		Gaelic.	English.	Writing.	Arithmetic.	Book-keeping.	Geography.	Mathematics.	Latin.
89	7,366	2,047	5,930	3,178	3,002	115	343	61	85

The committee publish a *report* annually, drawn up by Mr. John Gordon, secretary, and containing much valuable educational statistics. As mentioned, when speaking of the Kirk of Scotland, there are 41 newly erected government or *quoad sacra* parishes. In these there are as yet no parish schools; but an application having (1836) been made to government on the subject, and ministers having received the application in the most liberal spirit, it is next to certain that a parliamentary grant will be obtained towards endowing a school in each of these parishes. The committee are of opinion that a sum of 8,680*l.* per annum placed at their disposal, or that of any competent body, would be

sufficient to complete the elementary instruction of the whole inhabitants of Scotland. — (*Report for* 1833. p. 24.)

Schools belonging to the Secession Church.

The Secession Church has, like the Establishment, taken much interest in the cause of education. A considerable number of congregations have schools, established by themselves, for the education of the children of their own members, though open to others. Congregations, in many instances also, have schools for the benefit of the poor. The number of schools, both in cities and in the country, thus owing their origin to the Secession Church, cannot be accurately estimated, but are very considerable, not less than 100; perhaps more. All other bodies of Christians, particularly all presbyterian dissenters, do the same.

In some of the schools maintained by the Secession, children of their own persuasion are educated either *gratuitously* or at *a reduced* rate. These schools are on a very large scale in large cities, Edinburgh for example, and form *models of good tuition*. Various schools are also instituted in towns by the Secession Church, for the education of the destitute poor *not* connected with them; and the *subscription schools* throughout the country are liberally supported by dissenters. In addition to all this, the dissenting ministers have (generally speaking), throughout their communion, schools which meet once or twice a week for religious instruction. The number of *Sunday schools* in Scotland is about 600, of which two thirds belong to dissenters.

Private or Voluntary Schools.

Under this designation we include all schools not comprehended under the previous heads of *Parish Schools*, Society for propagating Christian Knowledge, General Assembly's Education Committee, and Secession Schools. We have no very accurate data for ascertaining the exact number of these *voluntary* schools; but the following table will afford us some assistance in arriving at a pretty correct estimate: —

Place.	Total Number of Parish Schools, and others already described.	Number of Voluntary and Private Schools.
Five parishes in Glasgow	11	37
Counties of Aberdeen, Banff, and Moray	158	370
Synod of Orkney	36	50
Edinburgh (within the Royalty)	18	about 70
Totals	215	527

In these instances, the number of voluntary schools is 527, — more than double that of the others: and we reckon these (with the exception, perhaps, of Edinburgh) as fair average cases. We think we are not above the mark, rather the contrary, if we estimate the private schools, that is, schools founded by private individuals, or carried on at the teacher's own adventure, as double the number of all the other schools. — (*Report of Society for propagating Christian Knowledge. Report of Assembly's Committee for* 1833; *and Report of Dick's Bequest.*) Assuming these data to be correct, the total number of schools in Scotland will be as follows: —

Parochial Schools	1,162
Schools under Society for propagating Christian Knowledge	253
Schools under Assembly's Committee	89
Schools under Secession Church	100
All other schools double the above	3,008
Total	4,612

Supposing that these schools are attended, at an average, by 50 pupils each, we shall have an aggregate attendance of 230,600; and adding to this number for female seminaries, for private boarding schools for boys, &c., and for children taught in private families by governesses and tutors, we shall find that about a *ninth part* of the population are being educated. This is, indeed, the exact proportion in the three contiguous counties of Aberdeen, Banff, and Moray. — (*Report of Dick's Bequest*, p. 155.)

We have already noticed that several of the parish schools, in addition to the legal salary, have been endowed, to a greater or less extent, by the benevolence of private individuals. Some of these schools have been so munificently endowed that education, as a condition of the grant, is free either to the whole population of the parish, or to a great proportion of them. The late James Dick, Esq., of London, bequeathed to the parochial schoolmasters (not in burghs), of the counties of Aberdeen, Banff, and Moray, such a sum as yields 25*l.* to each, in addition to his other emoluments.* The late Dr. Bell, whose name is so honourably connected with the history of education, either gave during his lifetime, or bequeathed, munificent sums for founding and endowing seminaries at St. Andrews, Cupar, Fife, Leith, and Edinburgh. There is a species of schools established within the last 30 years, called *academies*, in the larger burghs, such as Edinburgh, Inverness, Tain, Montrose, Cupar, Fife, Dundee, Perth, Dumfries, Ayr, &c. They are either under the direct patronage of the subscribers by whom they have been founded, or of the magistrates. These academies and the ancient burgh schools, such as the High School of Edinburgh, are, perhaps, the best seminaries in Scotland, embracing all the necessary and ornamental branches of education, each taught by a separate master.

Sect. III. *Education in Ireland.*

The state of public education in Ireland has been latterly the subject of frequent parliamentary investigation. In 1807 a commission of inquiry was issued to several individuals in Ireland of high literary character, who submitted the results of their investigation in a series of fourteen reports, ending in 1814, which contain a mass of accurate and well digested information, followed up by enlarged views of the means of removing defects and abuses, and of promoting the general improvement of the system. Their recommendations having been very partially acted upon, the constantly increasing importance of the subject, as a vital element of national welfare, led to the formation of a new board in 1824, under the name of Commissioners of Education, whose attention, though generally directed to the same objects as those of the previous commission, was more peculiarly turned to the state of education, both public and private, among the working classes. A third commission was issued to the same effect, in 1833, to a board called the Commissioners of Public Instruction. The reports of the Commissioners, together with those of other public bodies, to whom the management of particular departments of education had been delegated from time to time, as also the reports of the numerous voluntary associations for the same purpose, supply a mass of authentic information, in which the chief difficulty of investigation arises from the voluminousness of the materials. It is remarkable that an inquiry into the state of Trinity College Dublin, which draws so large an income from public grants, and from its exclusive privilege of communicating a knowledge of the higher departments of science and literature to the sons of the nobility and gentry, preparatory to their admission into the liberal professions, formed

* The Report to the Trustees of this Bequest in 1835, so often referred to, is a very able paper; and reflects great credit on the ability and sagacity of the secretary, by whom it was drawn up.

no part of the instructions and consequently of the reports of any of these commissions.

The system of public instruction may be considered as being divided into the following leading departments: — Collegiate, affording instruction in the higher grades of science and literature; Classical, for the rudiments of the same branches; Mercantile or English, designed for the middle classes, who do not require a knowledge of the higher sciences, or of the learned languages; and Elementary, for the instruction of the great body of the population in reading, writing, and the simpler processes of calculation. The places of education of the first of these departments are, Trinity College, Dublin, the Royal College of St. Patrick's, Maynooth, the Belfast Academical Institution, the College of St. Iarlath in Tuam, and the Cork Institution.

Trinity College, Dublin. — So early as the year 1311, John Leck, archbishop of Dublin, procured a bull from Pope Clement V. for the foundation of a university in Dublin, which was not acted upon. His successor Alexander de Bicknor obtained a similar bull from Pope John XXII. which was carried completely into effect. A code of statutes was drawn up for it, and a special writ of protection was issued in favour of the students resorting to it, whether from Ireland or England. The distracted state of the country, however, proved a bar to its prosperity; and after lingering in a state of obscurity till the time of Henry VIII. it was closed on the dissolution of the monastic institution at St. Patrick's, where it had been established. The town of Drogheda, once second only to Dublin in political and commercial importance, procured an Act of Parliament in 1465 to have a university there, with the same privileges as that of Oxford, but no traces of the actual existence of such an institution are on record. After a fruitless attempt to restore the ancient university in St. Patrick's during the reign of Elizabeth, another was opened through the exertions of Archbishop Loftus, who prevailed on the corporation of Dublin to assign the ground and buildings of the dissolved monastery of All Saints on Hoggins Green, in the eastern suburbs, for its use, and procured a charter from the Queen erecting it into a corporation, consisting of a provost, three fellows, and three scholars, under the name of "The College of the Holy and Indivisible Trinity near Dublin." The erection of the necessary buildings was forwarded by a voluntary contribution of the gentry throughout Ireland, in consequence of an appeal to them from the lord deputy; and means for its future maintenance, though on a very limited scale, were derived from royal grants. The first students were admitted in 1593. By a new code of statutes, framed in 1627, the number of fellows was fixed at seven, of scholars at seventy, and of probationer fellows at nine. By a subsequent charter, procured through the influence of Archbishop Laud, several material changes were made in its constitution, most of which continue to the present time. The nomination of the provost was reserved to the Crown. The fellowships, which had hitherto expired at the end of seven years after taking a master's degree, were made tenable for life. The nine probationary fellows were admitted to be members of the corporation, under the name of "junior fellows;" but the entire control, both as to discipline and finance, was vested in the provost and seven senior fellows, subject to the control of visitors nominated by the Crown, in whom the right of ultimate appeal was vested. A special clause provided that no person should profess or teach the liberal arts in any other place in Ireland without a licence from the Crown. During the Protectorate the university was nearly extinct, but was revived again, according to its previous forms, on the Restoration. At this period a proposal was made to found a second college in Dublin, to be of the university, and to be named the King's College. Lands were appropriated for it, and a liberal grant of money named, but the scheme was never carried into effect. During King James's residence in Ireland, a college was opened in Back Lane; but, having been transferred to Trinity College on

the Revolution, it was soon after closed. The funds of the college had been considerably augmented by grants of lands in Ulster by James I., and elsewhere out of the forfeited lands by Charles II. In 1698 a new fellowship was endowed from a bequest of Dr. Richardson, bishop of Ardagh; in 1724 three more were added from the funds of Erasmus Smith; in 1762 two more from the bequest of Provost Baldwin; and in 1808 three more were endowed out of the increased revenues of the university.

The entire government is vested in the following officers: — the Chancellor, which office is now filled by his Royal Highness Ernest Augustus Duke of Cumberland; the Vice-chancellor, who has power to appoint a Pro-vice-chancellor in special cases; the Provost; the Vice-provost, usually the first of the seven senior fellows; two Proctors for regulating the forms of taking out degrees; two Deans and a Censor, to inspect the details of moral discipline; two Librarians; a Registrar, who performs the duties of secretary or actuary to the provost and senior fellows; two Bursars; a Registrar for the electors admitted under the Reform Act; an Auditor; six University preachers; four morning lecturers; and nine examiners. The ordinary details of management are superintended by the provost and senior fellows, who in this capacity are called "The Board," and hold a meeting every Saturday.

The system of instruction is carried on by means of professorships, lectures, and periodical examinations. The professors are as follow: — the Regius Professor of Divinity, established on the first foundation of the college; the Regius Professor of Civil and Canon Law; the Regius Professor of Feudal and English Law; the Regius Professor of Physic; the Regius Professor of Greek; a Lecturer in Divinity on the foundation of Archbishop King in 1718; a second Lecturer of Divinity, founded under a bequest of Mrs. Anne Donnelan for the encouragement of religion, learning, and good manners; a Lecturer in Mathematics, founded by Arthur Earl of Donegal in the 17th century. From the funds of Erasmus Smith have been endowed the five professorships of natural philosophy, oratory, mathematics, history, and the Oriental languages. The professorship of astronomy arose out of a bequest of Provost Andrews in 1774, left by him for the erection of an observatory, and the maintenance of properly qualified persons to superintend it. The observatory has been erected at Dunsink near Dublin, where the professor, who bears the title of Royal Astronomer of Ireland, resides. He is required to make and publish a regular series of astronomical observations, and to give instructions in the theory and practice of the science. This professorship, from the scientific qualifications of the individuals by whom it has been filled, the excellence of the apparatus, and the accuracy of the observations, stands high in the estimation of the scientific world. The professors of anatomy, chemistry, and botany were appointed under the act for the establishment of a complete school of physic in Ireland, passed in 1785. The school consists of the lecturers already named, and of three more on the foundation of Sir Patrick Dunn's hospital. A lecturer in natural history, to whom the care of the museum is intrusted, was appointed in 1816. A professor of political economy was appointed under a fund granted for the purpose by Dr. Whately, the present archbishop of Dublin. A catechist, with eight assistants, is elected annually from among the fellows. There are two professorships of modern languages, one of French and German, the other of Italian and Spanish.

The details of literary and scientific instruction, and the superintendence of the moral discipline of the students, are more especially committed to the junior fellows, whose number, at present eighteen, is kept up by an admittance after examination, in cases of vacancy. The examination, which is held on the four days preceding Trinity Sunday, is conducted by the provost and senior fellows. The subjects are, logic, mathematics, natural philosophy, morals, history, chronology, Latin, Greek, and Hebrew. The whole pro-

cess is carried on in Latin. The candidates must be of the degree of Bachelor of Arts. The majority of votes, the declaration of which is preceded by the administering of the rites of the sacrament of the Lord's Supper to the examiners, decides the election. The successful candidate is considered as having secured a liberal and highly respectable independence for life: pecuniary premiums, sometimes to a large amount, are conferred upon those who, though unsuccessful, have displayed singular marks of genius or industry during the investigation. It may be mentioned here, that the frequency of these elections is considerably increased, by the circumstance of the College having at its disposal the presentation to twenty-one lucrative benefices in the northern dioceses. When any of these becomes vacant, it is offered to each of the clerical fellows in succession, commencing with the eldest. As the incomes of several of these benefices are a good deal more valuable than the average receipts of a junior fellowship, — as, likewise, the now indispensable qualification of celibacy to retain a fellowship, renders its possession, however desirable in a pecuniary point of view, irksome to many, — resignations of fellowships for parish livings are often made. By the late act for regulating the Established Church of Ireland, the archbishops of Armagh and Dublin are required to set apart a benefice not exceeding the annual value of 1,000*l.* out of each of the ten extinguished bishoprics, to which, when vacant, they are to nominate a fellow or ex-fellow of the college. In case of the acceptance of it by a fellow, he is to vacate his collegiate situation. This regulation will increase considerably the number of vacancies. It may be also added, that the incomes of the provost and senior fellows arise partly from the annual stipends of the professorships they hold, and partly from the college lands, which are let on short leases periodically renewable on payment of a fine. The rents go to the general fund: the fines are applied to maintain the senior fellows. The provost derives his income from lands peculiarly appropriated to his use. The junior fellows also derive some part of their income from stipends issuing out of the funds of the university, and some part from minor professorships or lectureships; but their chief source of income arises from the fees of their pupils. Every student on admission, after an examination of some extent and strictness as to his proficiency in Greek and Latin, is bound to enter himself under one of the junior fellows, chosen by him at pleasure, who is afterwards looked upon as responsible for his pupil's general progress and moral conduct, and who aids his studies by courses of domestic lectures auxiliary to those of the public professors.

The chief stimulus to study arises from the periodical examinations. These were, until lately, held quarterly at periods corresponding with the terms of the courts of justice. By a late regulation the year is divided into three terms, — Michaelmas, Hilary, and Trinity. Those of Michaelmas and Hilary are followed each by a short recess; that of Trinity by a vacation of three months. Each term commences with an examination, not only of the studies of that immediately preceding, but of the substance of most of those which had been previously gone over. The undergraduate course consists of four years, in each of which the students are distinguished by the titles of junior and senior freshmen, and junior and senior sophisters. The course of scientific instruction is as follows: — In the first year, mathematics; in the second, logic; in the third, astronomy and physics; and in the fourth, ethics; in addition to which the student must be prepared to answer in a certain portion of Greek and Latin selected from the classic writers. A twofold course of studies is laid down for each examination, the one for such students as look only to pass through the undergraduate course without blame: the other, more enlarged in scope, for those who aspire to academic honours. The prizes during the first three years are books of the value of 4*l.* and 2*l.*, given at the close of the year to the best answerers during the three examinations. At the close of the fourth year superiority is rewarded by an appointment to

the moderatorships in physics and mathematics, in ethics and logic, and in classics. Other prizes are awarded for extraordinary proficiency in particular departments of study.

Besides the classification arising from seniority, there is another founded on the student's station in society. According to this latter principle, they are arranged in four ranks: 1. Noblemen and baronets, stiled Nobiles, Filii Nobilium, and Equites, who are entitled to their degree at the end of two years. 2. Fellow commoners, who are entitled to graduate at the commencement of their fourth or senior sophister year. These, as well as the former class, pay a high annual stipend, and dine at the same table with the fellows in the Commons' hall. 3. Pensioners, who constitute the great body of the students; and, 4. Sizars, who are educated and partly supported out of the general fund. Their number is limited to thirty, and admission is obtained after a very strict examination held annually to supply vacancies. Each of these orders is distinguished by a peculiar dress.

The scholars form a distinct body among the undergraduates, dependent solely on literary merit; they are seventy in number, and are elected after an examination in the Greek and Latin classics previously studied, held at the close of the third year. A scholarship continues till the holder is entitled to the degree of Master of Arts, a period of from four to five years, during which he receives a trifling emolument, partly in money, partly in free-commons. Twenty scholars are admitted by election of the board to what are called natives' places, which gives some addition to their emoluments.

The comitia, for the conferring of degrees, are held twice a year, — on Shrove Tuesday, and on the Tuesday next after the 8th of July. The student, after having completed his undergraduate course, is styled a candidate bachelor: on being admitted to his degree he obtains necessarily year after year the titles of junior, middle, and senior, bachelor; he is then admissible, after having attended certain courses of lectures, to the degree of Master of Arts. A Bachelor of Divinity must be a Master of Arts of seven years' standing: a Doctor in Divinity must have been a Bachelor of Divinity of five years', or a Master of twelve: a Bachelor of Laws must be of six years' standing: a Doctor of Laws must have been a Master of six years'. The rules of admission for medical degrees require several special conditions of attendance on specific courses of medical lectures.

Trinity College is not only a literary but a political corporation: the charter of James I. vested the provost, fellows, and scholars with the privilege of sending two members to the Irish parliament. The Act of Union restricted this number to one; but the original number was restored by the Reform Act, which also made a very great change in the constituency. The right of election was then extended to all members of the university of twenty-one years of age, who at that time had, or who should thereafter obtain, a fellowship, scholarship, the degree of Master of Arts, or any higher degree. To exercise this right, the elector's name must be retained on the college books, for which he pays an annual sum of 1*l*. Persons possessed of the above recited qualifications who had withdrawn their names from the college books were permitted to restore them on payment of a sum of 2*l*. The number of the constituency thus enlarged amounts at present to upwards of 3,150.

The buildings of Trinity College cover a large space of ground nearly in the centre of Dublin. They consist of three quadrangles, one of great extent and much architectural beauty; another also large, but of antiquated structure; and a third of smaller dimensions. The library is by much the finest as well as the largest of the public buildings, being a gallery 210 feet long, 40 broad, and 40 high. The books are placed in recesses on each side: their number has been estimated at about 200,000. They were procured at first chiefly from donations and bequests, of which those of Archbishop Usher and Dr.

Baldwin were the most important, and latterly by a clause in the copyright act of the 54th of Geo. III. which entitles the university to one of the eleven copies appropriated to public institutions under that statute. The other public buildings are, the chapel, the theatre or examination-hall, which is enriched by a fine monument of Dr. Baldwin,—the museum, the dining-hall, the anatomy house, and the printing office; this last-named department enjoys the privilege of a drawback of the excise duty on all paper used in it for printing works of a religious tendency. The rest of the structure is appropriated to apartments for the residence of the fellows and students; attached to the buildings is a spacious lawn, well planted, for the recreation of the students, and two smaller pieces of ground for the exclusive use of the provost and fellows respectively.

The Royal College of S. Patrick, Maynooth, was founded for the education of persons designed for the Roman Catholic ministry in Ireland, in pursuance of an act of parliament passed in 1795. Previously to its foundation students intended for the priesthood, after having received the rudiments of a classical education in a private school, obtained deacons' orders from a bishop at home, and then proceeded to complete their theological studies in one of the seminaries on the Continent, where they remained for three years, and on their return were admitted to priests' orders.* The hope of detaching a body of clergy which possessed the spiritual control over a large majority of the population from the associations contracted by a long residence in foreign and frequently hostile states, and of binding them more closely to their parent country by conferring on them the advantage of a gratuitous education at home, in the principles of their own religion, were the leading motives that actuated the legislature in taking a step so opposite to the course pursued by their predecessors for upwards of a century preceding.

The college is placed under the direction of a board of trustees, at present consisting of seventeen persons of the Roman Catholic persuasion, of whom the four archbishops are members ex-officio. Vacancies are supplied by election, by the board from the Catholic hierarchy and nobility in the proportion of seven of the former to six of the latter. An additional board of control under the name of visitors was appointed by parliament in 1800, consisting of the lord chancellor of Ireland, the chief justices of the King's Bench and Common Pleas, the chief baron of the Exchequer, the four Roman Catholic archbishops, who also are trustees, and the Earl of Fingal. This board is authorised to hold a visitation triennially, or more frequently if so instructed by the lord-lieutenant, and is invested with power to examine, on oath, on all points connected with the college. In matters connected with doctrine and discipline, the Roman Catholic members only are empowered to decide.

The officers charged with the superintendence of the details of the institution are, 1. the President, who, as well as all the others, must be a native and a subject of the British empire, of at least thirty years of age, and in priest's orders; this officer has the general direction and control of all the concerns. 2. The Vice-president, who assists the president and supplies his place in case of absence or sickness. 3. The senior and junior deans, whose peculiar duty it is to maintain discipline among the students. The ordinary routine of business is conducted wholly by these officers, but in the appointment of professors and of senior students on the Dunboyne foundation, the number of the council is enlarged by the addition of the three divinity professors and the prefect of the Dunboyne establishment.

The professors rank according to the following order:—1. Dogmatic Theology. 2. Moral theology. 3. Hebrew and sacred scripture: these three are styled the Divinity Professors. 4. Natural philosophy and mathematics. 5. Logic, ethics, and metaphysics. 6. Greek and Latin. 7. English and French. 8. Irish.

The professors are elected by the trustees after an examination, or, as it is

called, a concursus. The candidates are examined on four successive days for two hours each day before the president and council, each member of which, after having taken an oath to decide with impartiality, gives his suffrage in writing. The suffrages being received by the president are enclosed and sealed in presence of the council and laid before the board of trustees, who declare the successful candidate.

The number of students, on the first opening of the classes in October, 1795, amounted only to fifty: it has since progressively increased to 450; at which it is limited solely from the inadequacy of the funds to admit of further augmentation. These funds arise chiefly from a parliamentary grant, which at first was 8,000*l.*, but has since been increased to 8,928*l.*; 2,000*l.* from donations and bequests, of which the principal was from Lord Dunboyne, Roman Catholic bishop of Cork, who bequeathed his whole property to this college, but, on his will having been made the subject of litigation, a compromise was entered into, by which the institution receives 500*l.* per annum from this source. The income hence accruing is applied to the maintenance of an order of senior students nominated from the four ecclesiastical provinces. The peculiar object in forming this order was to provide a permanent supply of persons properly qualified, not only from their literary acquirements but from their proficiency in the science of education, to act as professors in cases of vacancy; these students are therefore required, in addition to their usual literary avocations, to take part in the business of instruction. Their number is limited to twenty. An allowance of 60*l.* a year is granted to each; but as the half of this is deducted for board, and other collegiate expenses, their actual pecuniary income is but 30*l.* a year. An officer, styled a prefect, is placed over this order. A legacy of 1,000*l.* by a gentleman of the name of Keenan, for the special purpose of endowing a professorship of the Irish language, has since been appropriated accordingly. Thirty bursaries have been founded, of different annual amounts from 30*l.* downwards, either by bequest or by some of the Roman Catholic bishops for the benefit of their own dioceses. All these sources of income having been found inadequate to the support of those wishing to enter the college, two new orders of pupils have been formed under the name of pensioners and half-pensioners, the former of whom pay 21*l.* per annum for their board, and the latter half that sum. These payments, together with an entrance fee of 8 guineas from each free student, and half that sum from each of the pensioners, the other half being paid on their becoming free students, make up the deficiency. The nomination of free students is vested in the bishops, who hold yearly examinations in their respective dioceses of the young men who seek for admission. The usual age for admission is 17. The number of free presentations is 250, which are filled up from the four ecclesiastical provinces in the proportion of 75 each for Armagh and Cashel, and 50 each for Dublin and Tuam. The free students are supplied gratuitously with lodging, commons, and instruction: any other personal expenses must be defrayed by themselves. At the commencement of the institution a portion of the buildings was appropriated for a lay college, but the different systems of discipline applicable to the two departments presented such insuperable obstacles to good government, that this department was relinquished in 1817, and the buildings previously assigned to it were applied to the accommodation of the ecclesiastical students. There are, therefore, three orders of students,—senior students, pensioners, and free students. The course of studies is arranged in seven classes, each of which ordinarily occupies a year. The first is the humanity class, in which attention is chiefly devoted to the Latin and Greek languages, together with catechetical lectures in the old and new testament; the second year is devoted to rhetoric and belles lettres; the third to logic, ethics, and metaphysics; and the fourth to mathematics and natural philosophy: the three concluding years are set apart exclusively to the study of

divinity, under the three subdivisions of dogmatic theology, moral theology, and Hebrew and scriptural studies. The reading of the classic authors is kept up throughout all the courses. Public examinations, at which prizes are distributed, are held twice a year.

The strictness of the discipline observed in this college may be inferred from the following summary of the daily arrangement of time throughout the year, excepting only that one hour is subtracted from the time of study during winter. Half-past five, public prayer — six, public study — half-past seven, mass — eight, breakfast — nine, public study — ten, class lecture — half-past eleven, recreation — twelve, public study — half-past one, class lecture — three, dinner — five, class lecture — six, public study — eight, supper — nine, public prayers — at half-past nine all retire in silence to their chambers. The periods of recess from this course of discipline are two months' vacation in summer, and a few days at Christmas, Easter, and Pentecost, but at such times the students seldom leave the college, as the previous permission of the prelate by whom they were recommended, must be obtained. All the students are dressed in black on Sundays and holydays, and in grave coloured garments on other days; they wear caps and gowns both within and without the college, out of which they are permitted to walk but once a week and then only when accompanied by the dean.

The site fixed on for the seminary was a tract of fifty-four acres adjoining the town of Maynooth. The buildings, which form three sides of a quadrangle, comprise the chapel, the refectory, the library, the lecture-rooms, the dormitories, and the residences of the professors. The library contains about 10,000 volumes chiefly on theological subjects.

There is much room for doubt whether the advantages anticipated by government from this institution have been realised, or, if realised, whether they are not more than counteracted by corresponding disadvantages. There seems to be a very general opinion, among those who have the best means of judging, that the Catholic clergy educated at Maynooth are less intelligent, less liberal, and less gentlemanly in their manners than their predecessors; and we should be inclined on general grounds to think that this must be the case. The Catholic clergy educated abroad were generally of a superior class to those educated at Maynooth; the scholastic instruction they received in the foreign seminaries was not, perhaps, better than what they now receive at home, but it is pretty certain that their scientific * and general education was incomparably superior, and that they were less strongly imbued with sectarian prejudices. The pupils at foreign seminaries mixed much more with the world, especially with the upper classes, than those educated at Maynooth; their opportunities for observation were, consequently, much greater; and their minds were necessarily liberalised by their familiarity with tastes, habits, and modes of thinking widely different from their own. The students now at Maynooth belong, with but few exceptions, to the middle and lower classes of Catholic farmers and occupiers. The discipline to which they are subjected appears, judging from its effects, to be well fitted for forming skilful controversial divines, and zealous Catholics; but in all that tends to expand and liberalise the mind, it is exceedingly defective, and the society of the student during the period of vacation, provided he be allowed to leave the college, is better calculated to increase than to supply this defect. It is difficult to see how this unfavourable state of things is to be amended. Some have proposed opening the general classes of Trinity College to Catholics as well as Protestants; and others have suggested the formation of a new establishment, where clergymen of both

* If one might take the examination of the reverend professor of mathematics, by the Commissioners of Education, as any test of the state of mathematical learning at Maynooth, it would be at a very low ebb indeed. It is to be hoped that some improvement has been made within the last seven years.

sects might be educated, the literary and scientific classes being common to all the students, and there being, at the same time, separate courses of theology by Catholic and Protestant professors for the students of each persuasion. Either of these plans would, no doubt, materially weaken prejudices, and introduce greater liberality of opinion: but both the one and the other is opposed by great and, we fear, all but insurmountable obstacles.

Royal Belfast Academical Institution. — The want of a place of liberal education which might preclude the necessity of having recourse to Dublin or Scotland, to acquire instruction in the higher branches of literature and science, suggested the idea of forming an institution to meet this want in the town of Belfast. A plan to effect it was laid before the public by the originators of the measure, in 1807, which was received with such general approbation that in a few weeks a fund of 16,000*l.* was raised in the town and its vicinity, which was soon after augmented to 25,000*l.* by subscriptions from other parts of the United Kingdom; and, through the instrumentality of the Marquis of Hastings, from the East Indies. In 1810 the institution was incorporated under the name of the Belfast Academical Institution, by act of Parliament, by which the governing body was directed to be vested in two boards,—one of managers to superintend the financial department; the other of visitors to regulate the details of instruction and discipline (each to be elected by and from among the subscribers) together with the Lord Primate, the Marquis of Donegal,—who had granted a portion of land adjoining the town at a low rent as a site for its buildings,— the bishops of Down and Connor, and of Dromore, specially named in the act of incorporation. The same act requires that all bye-laws be submitted to the Irish Privy Council; and if not disapproved of by that body within thirty days they are to be of full force until repealed or altered by the body that framed them. The fund subscribed having been wholly expended on the buildings, an annual grant of 1500*l.* for the payment of professors and teachers was given by parliament; at the close of two years it was withdrawn in consequence of the expression of peculiar political opinions by some of the teachers at a public meeting, but was renewed in 1824 at the recommendation of the commissioners of education. The institution is divided into a collegiate and a school department; the former consists of the professors of natural philosophy, moral philosophy, logic and belles lettres, mathematics, Hebrew, Latin and Greek, and anatomy, — all appointed by the joint boards of managers and visitors — and two professors of divinity, appointed by the general synod of Ulster, and the seceding or presbyterian synod of Ireland. These professors were formed into a board of faculty in 1818, for regulating the details of instruction and discipline in their own department. The school department consists of rudimental schools for teaching Greek, Latin, Italian, French, English, mathematics, geography, and drawing, each course being superintended by a separate master; the teachers in this department form a second board of faculty. The course of study and discipline in the collegiate department resembles that of Glasgow college, the professors giving their instructions in an annual session commencing in November and ending in May. The school system is similar to that adopted in the other great schools in Ireland. Public examinations are held in summer at the close of the annual session. The number of students is about 400, divided nearly in equal proportions between the two departments. The synod of Ulster recognises the general certificate of the higher faculty as equivalent to a degree of Master of Arts in Glasgow, or of Bachelor of Arts in Dublin. The buildings, which are limited in extent and without any pretension to architectural elegance, contain lecture-rooms for the professors, apartments for the instruction of the junior pupils, with accommodations for boarders, a museum, and a library. The fees of pupils in both departments are moderate, and free scholars are admitted under certain limitations upon a certificate of an original subscriber of 100*l.* or upwards.

St. Iarlath's College, Tuam. — The College of St. Iarlath was founded in 1814 by the late Dr. Kelly, Roman Catholic archbishop of Tuam. It consists of a principal, three ecclesiastical, and two lay professors. The course of study comprehends Theology, Hebrew, Greek, Latin, Italian, and Irish, and is modelled so as to serve as a preparation for the lay professions as well as for admission into the Roman Catholic ministry. The college is already possessed of a library of 2,000 volumes. The number of pupils is about 140 designed for the church, and 35 for lay professions, besides a fluctuating number of elementary pupils. The college is supported by the fees of the students, aided by an annual subscription of 2*l.* from each parish priest in the diocese.

The Royal Cork Institution. — The Royal Cork Institution was incorporated by charter, in 1807, for the purpose of delivering courses of lectures in natural philosophy, chemistry, natural history, and agriculture: an attempt to introduce courses of moral philosophy and rhetoric was unsuccessful. The lectures are open to the public, and are delivered both in the morning and evening. The lecturers receive salaries of 100*l.* each. The institution also maintained a library and a botanic garden. Its sources of income were an annual parliamentary grant of 1,500*l.*; proprietors' shares entitling to certain privileges and annual subscriptions. The principal of these sources, — that of the grant of public money, was withdrawn in 1825, since which time the institution has declined. Its total receipts from its foundation to 1825 were as follows: — Parliamentary grant 43,896*l.*; payments of proprietors for shares 4,999*l.*; annual subscriptions 881*l.*; total 49,776*l.* The expenditure during the same period amounted to 50,346*l.*, causing a surplus of expenditure above income of 570*l.*

The public classical schools, which in their constitution and courses of study resemble in many respects the great grammar schools of England, are those of royal foundation, diocesan schools, schools on the foundation of Erasmus Smith, and those founded by individuals. The royal schools were founded by Charles I., in the commencement of his reign; who endowed them with large tracts of land, chiefly in the northern counties. They are situate in the city of Armagh, and in the towns of Dungannon, Enniskillen, Raphoe, Cavan, Banagher, and Carysfort. The total quantity of land granted for their support is 13,588 acres; which produced in 1807, when their state was investigated by the commissioners of education, an annual revenue of 8,405*l.* The appointment of the teachers was originally vested in the lord-lieutenant, and the management of the landed property entrusted to them. But as both the discipline and economy were found to be conducted on principles of great laxity, the control has been vested in commissioners, who make annual reports to parliament. Still, however, these schools, though improved relatively to their former state, are far from filling the space in the general system of national instruction anticipated at their formation. The diocesan schools owe their origin to an act of the 12th of Elizabeth, which requires a grammar school to be founded in every diocese, and empowers the lord-lieutenant to fix the salary of the teacher; which is to be assessed on the bishop and the beneficed clergy of the diocese in the proportion of one third to the former, and two thirds to the latter. The number of schools in the 32 dioceses, in 1807, amounted only to 18. The defects of their constitution led to a new arrangement, by which two or more dioceses were united for the maintenance of a district school; the numbers of which were fixed to be 5 in each of the provinces of Armagh and Cashel, and 4 in each of those of Dublin and Tuam, making a total of 18. This arrangement was but partially carried into effect: for, in 1826, there were but 12 diocesan schoolmasters receiving payment; and it is further stated by the commissioners for superintending the endowed classical schools of Ireland, that, in 1834, of the 18 dioceses or districts in which schools are

appointed to be kept, 8 only are provided with effective teachers. Erasmus Smith, one of the English adventurers who procured large grants of lands in Ireland during the Interregnum, having bequeathed a large portion of them to pious and charitable uses, the trustees applied part of the income hence accruing to found grammar schools in Drogheda, Galway, Tipperary, and Ennis. The classical schools of private foundation are those of Navan, Ballyroan, Clonmel, Carrickmacross, Kilkenny,—which assumes the style of a college — Middleton, the corporation school in Waterford, Dundalk, Lismore, Bandon, Kinsale, Castlebar, Charleville, Lifford, Cloghnakilty, and Rathfarnham. All these vary in the mode of government and the details of management. But it may be observed, that though the admission of free scholars is considered to have been a main object with the founders, the number of this description of pupils is very small in comparison with the amount of income intended for their benefit.

The chief mercantile or English schools are those endowed by the trustees of Erasmus Smith's bequest, in the Coombe in Dublin, Nenagh, Tipperary, Tarbert, and several others; the Hibernian Nursery in the Phœnix Park, for the education of soldiers' orphans; the Marine School on Sir John Rogerson's Quay, Dublin, for mariners' children; each of which two last named receive grants of public money; the Blue-coat Hospital schools in Oxmantown for the sons of decayed citizens of Dublin; Wilson's Hospital in Westmeath; Oldcastle, in Meath; Disrael's School, in Carlow; besides a large number of others dispersed throughout various parts of the country.

The education of the lower classes has been long an object of parliamentary attention. So far back as the year 1537, an act was passed requiring every incumbent of a parish to take an oath, on admission to his benefice, to teach an English school or to cause one to be taught. The provisions of this act are thought by many to be sufficiently complied with by the allowance of an annual stipend of 2*l.* to the parish clerk, or to some other individual who teaches or professes to teach a school. In many instances, notwithstanding the solemnity of the condition attached to it, it has been wholly inoperative. The general principle has latterly attracted the peculiar attention of the legislature; but the modes of management have been desultory and variable, and the results unsatisfactory. Grants of public money, to a very large amount, were given to two self-constituted associations. One of these, known by the name of the Kildare Place Society, and composed of a number of respectable individuals chiefly resident in Dublin, received an annual grant which was gradually augmented to 25,000*l.* They embodied themselves on the express condition of affording literary information, without any interference with the religious opinions of the pupil. But, having subsequently required that the reading of the Bible should form an essential part of the school studies, and this innovation being resisted by the Roman Catholic hierarchy as contrary to the tenets of their church, which deem the spiritual assistance of the clergy necessary towards the salutary perusal of the sacred volume, the operations of the society were impeded, and its usefulness as an organ of national education neutralised. The other association, the Society for the discountenancing of Vice, composed chiefly of clergymen of the Established Church, also received an annual grant of between 5,000*l.* and 10,000*l.*; but as, in addition to the condition introduced into the Kildare Place Society, it required the introduction of the Protestant Liturgy, and other devotional treatises, it was deemed still more objectionable. Besides these grants, a sum of from 4,000*l.* to 5,000*l.* was entrusted to the lord-lieutenant to be disposed of at his discretion for the purposes of education. The general repugnance to the proceedings of these societies led to a total alteration of system. The grants were withdrawn; and a single grant to the amount of the three just specified was

vested in a board of commissioners, consisting of the Protestant and Catholic archbishops of Dublin, the moderator of the synod of Ulster, and some noblemen, clergymen, and gentlemen nominated by the Crown. This board commenced by allotting a special portion of the week for religious instruction by the parochial clergy of each religious denomination, instead of insisting on the reading of the Bible, without note or comment, as a class book. It has also published a plan for a system of national education; which, if not found to involve too great an expenditure, would render the rudiments not only of elementary, but of scientific instruction, very generally attainable. It proposes, in addition to a number of primary schools spread over every district, and of model-schools which are to be supplied with pupils out of the primary schools, to form a central establishment of five professorships: one of the science of education; one of English literature, history, geography, and political economy; one of natural history; one of mathematics; and one of mental philosophy; in which every candidate for the charge of a public school must study for two years at least. The annual estimate of expenditure for carrying on this great national institution is estimated at 200,500*l*. The other principal seminaries of public foundation for the instruction of the lower classes, are the charter schools, founded in the beginning of the last century. Their chief object was the conversion of the Catholic population through the medium of religious and literary instruction. The chief means adopted was the abstracting of the children from their parents when very young, and rearing them in nurseries; whence they were drafted at a proper age into schools, where they were lodged, fed, clothed, and instructed in the elements of literature, and in the practical knowledge of the simpler processes of agricultural and manufacturing industry. In the transfer, or, as it was styled, 'transplantation,' care was taken to remove them as far as possible from their parents. When of sufficient maturity, they were apprenticed to Protestant masters. The plan, though highly patronised and supported by large private donations and bequests, and by still larger grants of public money, proved a failure. The number of schools in the most flourishing periods was but thirty-nine, including four nurseries; and maintaining at any one time not more than 1,600 children. Abuses, of great enormity, notwithstanding the existence of a central board of control in Dublin, and of local boards in the neighbourhood of each school, were found to have crept in. Parliament, therefore, withdrew the grant: leaving the society to carry on its affairs out of its private income, which in 1808 amounted to upwards of 10,000*l*. annually. The number of elementary schools founded by charitable associations, or by donations and bequests of benevolent individuals, are too numerous to admit of a specification even of their names and localities.

The total number of pupils receiving instruction in public schools is stated by the Commissioners of Education to have been in 1808, 45,590 Protestants and 116,977 Catholics: total, 162,567. The numbers stated in the returns of the enumerators employed in taking the census of Ireland in 1821, was 394,813; the distinction of religion was not noticed by them. In the returns of the Commissioners of Education, in 1824–6, the numbers are, Protestants, 142,168; Catholics, 408,285; those whose religious persuasion could not be ascertained, 10,096: total, 560,549. According to a return of the Commissioners of Public Instruction, in 1835, the number of schools and scholars in Ireland, were as under: —

	Provinces.				Total in Ireland.
	Armagh.	Dublin.	Cashel.	Tuam.	
Number of daily schools	4,482	1,612	2,322	1,241	9,657
Number of daily schools supported wholly by payments from the children	2,396	830	1,577	850	5,653
Number of daily schools supported wholly, or in part, by endowment or subscription	2,086	782	745	391	4,004
Number of schools in connection with or receiving support from —					
1. The National Board	461	204	137	90	892
2. Association for Discountenancing Vice	112	48	37	6	203
3. Erasmus Smith's Fund	61	25	22	7	115
4. Kildare Street Society	195	17	15	8	235
5. London Hibernian Society	460	26	37	95	618
Number of daily schools, of which the books containing lists of the children were produced	4,235	1,403	2,126	1,122	8,886
Number of children on the books of those schools —					
Males	169,118	52,346	85,133	47,212	253,809
Females	105,234	40,481	52,586	25,599	223,900
Sexes not specified	2,089	1,644	1,361	610	5,700
Total	276,441	94,471	139,080	73,421	583,413
Number of schools of which no lists were produced	247	209	196	119	771
Computed number of children under daily instruction in such schools	16,055	14,003	12,740	7,735	50,886
Computed total number of children under daily instruction	292,496	108,474	151,820	81,156	633,946
Total population in 1834	3,128,016	1,247,290	2,345,471	1,233, 23	7,954,100
Proportion of daily schools to total population	as 1 to 698	as 1 to 774	as 1 to 1,008	as 1 to 994	as 1 to 824
Proportion, per centum, of children under daily instruction to total population —					
Total on the books	$8\frac{84}{100}$	$7\frac{57}{100}$	$5\frac{93}{100}$	$6\frac{3}{100}$	$7\frac{33}{100}$
Computed total	$9\frac{35}{100}$	$8\frac{70}{100}$	$6\frac{47}{100}$	$6\frac{58}{100}$	$7\frac{97}{100}$

A notion is pretty general in Great Britain that the Irish poor are exceedingly ignorant. But this is by no means the case. If elementary knowledge, or the being able to read, write, and perform ordinary arithmetical operations be regarded as education, it is more generally diffused in Ireland than in England. "Where, in England," asks Mr. Bicheno, "could the Ordnance Surveyors find persons among the *lowest class* to calculate the sides and areas of their triangles, at a halfpenny a triangle, as they do in Ireland, and abundance of them?"* The Irish are honourably distinguished by their desire to possess information, and by the efforts they have made to acquire it. But until within these few years their education was very defective indeed; and the books that were used in schools were not unfrequently of the very worst description. We believe, however, that these have now nearly disappeared; and the school books published by the Kildare Street Society, and the other school books usually met with in Ireland, seem to be not merely equal, but very decidedly superior to most of those used in schools in Great Britain. It is not the ignorance of the people, but their destitute situation, and the violence so frequently done to their feelings and to their sense of justice, that are the grand sources of the crimes and disorders that have so long disgraced Ireland.

* Mr. Bicheno's *Report on Poor Laws*, p. 41.

CHAPTER II. — Revenue and Expenditure.

Sect. I. *Revenue.*

In early times the sovereigns of England, like those of most other feudal states, were the greatest landholders of the kingdom; their revenues consisting principally of the rents, services, &c. derived from their own lands, and partly of the fines, compositions, and other payments derived from the lands of others. But in the course of time the estates of the Crown were mostly alienated; and the diminution of the royal revenue thence arising being coincident with increased demands for the public service occasioned by the progress of society, and the consequent greater expense of government and defence, it became necessary to explore other sources of revenue. In early times it was usual for parliament to make grants of *tenths* and *fifteenths;* that is, to grant to the Crown a tenth or a fifteenth part of all the moveable property belonging to the subject. But there can be no doubt that they were but very imperfectly collected; and that the Crown never received anything like the real amount of the grants made by parliament. The other ancient levies were of the nature of a land-tax; being called scutages, when laid on the tenants of knights' fees, hydages when laid on the occupiers of other lands, and talliages when laid on cities and boroughs. But these having gradually fallen into disuse, were followed by subsidies. The latter were not immediately imposed upon property, but upon persons in respect of their reputed estates, after the nominal rate of 4*s.* in the pound for lands, and 2*s.* 6*d.* for goods; and for those of aliens in a double proportion. The existing land-tax grew out of the subsidy scheme; having originated in 1692, when a new assessment or valuation was made, by which a subsidy or land-tax of 1*s.* a pound produced 500,000*l.* a year of revenue. — (See *Blackstone,* book i. cap. 8.)

But these resources were but limited, and comparatively inconsiderable; and for a long time past the duties of customs and excise have formed the principal branches of the public revenue, and the only ones, indeed, by which we have been enabled to meet the immense expenditure of modern times.

Customs. — From a very distant period customs-duties have been charged on most articles imported into, or exported from, the country; and though inconsiderable at first, they increased, with the increase of civilisation and commerce, till they long ago formed one of the most copious sources of the public revenue, and have now attained to an extraordinary magnitude. The

king's claim to the customs-duties was first established by stat. 3. Edward I. The various duties were collected, for the first time, in a book of rates, or tariff, published in the reign of Charles II. But there is hardly a year in which the customs-duties do not undergo considerable variations. It is now the practice to consolidate the different acts imposing or varying the customs-duties before they become inconveniently numerous; and tariffs, or tables of duties, drawbacks, &c., are annually published for the convenience of merchants and others. We have subjoined a statement of the existing duties on the most important articles.

Owing principally to the vast increase of the commerce, wealth, and population of the country, but partly, also, to the increase of the rates, the progress of the customs-duties has been quite extraordinary. The revenue derived from the customs-duties in 1596, in the reign of Elizabeth, amounted to no more than 50,000*l.* In 1613, it had increased to 148,075*l.*, of which no less than 109,572*l.* was collected in London. In 1660, at the Restoration, the customs produced 421,582*l.*; and at the Revolution, in 1689, they produced 781,987*l.* During the reigns of William III. and Anne, the customs-revenues were considerably augmented, the nett payments into the Exchequer in 1712 being 1,315,422. During the war terminated by the peace of Paris in 1763, the nett produce of the customs-revenue of Great Britain amounted to nearly 2,000,000*l.* In 1792, it amounted to 4,407,000*l.* In 1815, at the close of the war with revolutionary France, it amounted to 11,360,000*l.*; and in 1834 it produced 20,108,703*l.*, of which Great Britain furnished 18,364,666*l.* and Ireland 1,744,037*l.*

For a lengthened period customs-duties were charged indifferently on all sorts of commodities, whether exported or imported; the duty on wool sent to the Netherlands, France, &c. being then, in fact, the principal item in the customs-revenue. But for a long time past they have been almost exclusively laid on imported articles; those laid on exports being, in most instances, imposed rather to check or prevent the exportation of the articles, than in the view of raising revenue.

Were this the proper place for such investigations it might be easily shown, that moderate customs-duties are about the least exceptionable of all taxes. They are collected with the greatest possible facility, involving no inquiry into the circumstances of individuals, as is the case with taxes on income or property; nor any interference of any sort with the processes carried on in the arts, as is the case with certain excise duties. By allowing imported goods to be lodged in bonded warehouses under the joint locks of the king and the importer, the revenue is protected without its being necessary for the importer to pay the duties till the goods be withdrawn for consumption; so that but little additional capital is required to be at the command of the importing merchant, because of the articles in which he deals being subject to duties, and but little addition is, consequently, made to the price of the goods on account of the profits accruing to the dealers on the duties.

Customs-duties should not be carried to such a height as to give any overpowering stimulus to smuggling. They then contradict and defeat the very purpose for which they are intended. Our finance ministers have not, how-

ever, been sufficiently alive to this obvious consideration. There can be no articles better fitted to bear customs-duties than tobacco and spirits; but the duties with which they are loaded are so extravagantly high that they occasion a great deal of smuggling with its accompanying crime and demoralisation, and would certainly be a good deal more productive were they effectually reduced. The existing duties on brandy and geneva are, perhaps, the very worst in our tariff; but they would be about the very best were they reduced from 22*s.* 6*d.* to 8*s.* or 10*s.* a gallon.

As already stated, the net customs-revenue of 1834 amounted to 20,108,703*l.*; and we will venture to affirm, that no equal amount of revenue was ever raised in any country, or in any period of time, with so little difficulty and inconvenience. The assessed taxes, exclusive of the land-tax, produced, in 1834, 3,458,766*l.*; and no one familiar with the facts can doubt that their payment produced more irritation, and was regarded as a greater burden by the public, than the payment of the customs-duties, though the latter brought between six and seven times as great an amount of revenue into the coffers of the Treasury.

The customs revenue of 1835 was collected in Great Britain at a charge of 5*l.* 17*s.* 2¼*d.* per cent. upon its gross produce; and in Ireland at a charge of 12*l.* 5*s.* 2¼*d.* on ditto.

Excise Duties. — The next great branch of the public revenue consists of inland, or excise duties, that is, of duties charged on certain commodities produced or manufactured at home.

Excise duties were introduced into England by the Long Parliament in 1643; being then laid on the makers and venders of ale, beer, cider, and perry. The royalists soon after followed the example of the republicans; both sides declaring that the excise should be continued no longer than the termination of the war. But it was found too productive a source of revenue to be again relinquished; and when the nation had been accustomed to it for a few years, the parliament declared, in 1649, that the impost of excise was the most easy and indifferent levy that could be laid upon the people. It was placed on a new footing at the Restoration; and notwithstanding Mr. Justice Blackstone says, that "from its first original to the present time, its very name has been odious to the people of England" (*Com.* book i. *c.* 8.), it has continued progressively to gain ground; and is at this moment imposed on several most important articles, and furnishes nearly a third part of the entire public revenue of the kingdom.

The prejudice in the public mind to which Blackstone has alluded, against the excise duties, seems to depend more on the regulations connected with their imposition, than to the extent on which they have sometimes been carried. The facilities of smuggling, and the frauds that might be committed upon the revenue, unless a very strict watch were kept, have led to the enactment of several rather severe regulations. The officers have been empowered to enter and search the houses of such individuals as deal in excise-able commodities at any time of the day, and in most instances also of the night. And the proceedings in cases of transgression are of such a nature, that persons may be convicted in heavy penalties, by the summary judgment

of two commissioners of excise, or two justices of the peace, without the intervention of a jury.

For the more easily levying the revenue of excise, England and Wales are divided into about fifty six collections, some of which are called by the names of particular counties, others by the names of great towns; where one county is divided into several collections, or where a collection comprehends the contiguous parts of several counties, every such collection is subdivided into several districts, within which there is a supervisor; and each district is again subdivided into out-rides and foot-walks, within each of which there is a gauger or surveying officer.

Some excise duties, that were justly objected to, have been repealed within these few years; and, with the exception of the duty on glass, which interferes injuriously with the manufacture (see *antè*, p. 124.), we are not sure that there is one of the existing duties that can be fairly objected to on principle, though the rate of duty might, in some instances, be advantageously reduced.

It has been said that the excise duties "greatly raise the cost of subsistence to the labouring classes." But this assertion has really no foundation. In 1834, the excise duties in Great Britain (excluding tea carried to the customs in the course of that year) produced 12,554,609*l.* Now, of this sum, the duties on spirits, malt, and licenses produced 9,450,168*l.*! In fact, the only excise duty that can be said to fall on a necessary of life, is that on soap, which produced in 1834 (in Great Britain) 736,112*l.*; and as the population of Great Britain amounts at present to above 17,500,000, the soap tax cannot, at an average, impose a burden of 10*d.* a year on each individual. If we estimate its annual pressure on a labouring family of five persons at 2*s.* 6*d.*, we shall not be within, but beyond, the mark.

The only taxes, in the various departments of the revenue, that can be truly said to fall on articles necessary to the labourer, are, besides soap, those on tea, sugar, and a few others. We incline to believe that the duties on tea and sugar, which are the most important, might be materially reduced without affecting the revenue; but, however that may be, it cannot be truly affirmed that they entail any grievous burden on the labouring classes.

Even though they were not required by the public exigencies, the duties on spirits obstruct a pernicious habit, and should not be given up. They are the best of all possible duties; and the only thing to be attended to in their imposition, is not to carry them to such a height as to defeat their operation by encouraging smuggling. We have yet to learn, supposing they are not carried beyond this limit, that a single good objection can be made to these duties.

The obscurity and complexity of the excise laws has been justly complained of. It is needless to say, that they ought to be brief, clear, and level to the apprehension of every one. But, so far from this being the case, they are, in most instances, lengthened, contradictory, and unintelligible. We believe there are at this moment, some 40 or 50 acts in existence, having reference to the glass duties, and from 25 to 30, having reference to the paper duties, and so for the others; and it is all but impossible for any one to tell what the law really is on many points, so that the

trader is left at the mercy of the officers, and a wide door is opened to favouritism and fraud. This disgraceful state of things might, however, be easily remedied by getting the Treasury or the Excise to prepare a short abstract of the law as to each duty, drawn up in the clearest and least ambiguous manner possible, and without any of that verbosity, repetition, and technical jargon that infects acts of parliament, and renders them all but incomprehensible to ordinary persons. A manufacturer abiding by this abstract should be held to have abided by the law, and should not be further questioned on the subject. A measure of this sort might be easily carried into effect. It would be an immense improvement; and would go far to obviate the only good objection to the excise duties.

The capacity of a tax on a commodity to raise a revenue, depends partly on the nature and extent of the demand for the taxed article; and partly on the means of preventing its being smuggled or the duty evaded. Every tax, by raising the price of the article on which it is laid, has a tendency to bring it within the command of a smaller number of purchasers, and to lessen its consumption. An individual who might be able and disposed to pay 1*s.* a bottle of duty on wine, might neither have the means nor the inclination to pay 2*s.* or 3*s.*; and instead of being augmented, the revenue might be diminished by such an increase of duty. And hence, whenever the duties on commodities are raised beyond certain limits, which however, it is impossible to define *à priori*, seeing that they necessarily vary according to the description of commodities on which duties are laid, the varying tastes and circumstances of society, and the means of counteracting smuggling, — they depress consumption to such an extent, as to become less productive than if they had been lower.

Variations in the amount of the duties affecting commodities have exactly the same effect on their price, and consequently on their consumption, as corresponding variations in the cost of production. But it is clear that any reduction in the price of articles, the necessary cost of which is very considerable, and can, therefore, be used only by the rich, would not so powerfully increase their consumption, as an equal reduction in the price of cheaply produced commodities in general demand. Thus a reduction of 25 or even 50 per cent. in the price of coaches, would not add greatly to the demand for them; for, notwithstanding this reduction, they would still be luxuries, for which none but the rich could afford to pay. But a reduction of 25 or 50 per cent. in the price of tea, sugar, beer, gin, or any article in general demand, would extend its consumption in a much greater ratio. The reason is plain: the lower classes form by far the most numerous portion of society; the articles referred to, and others of the same description, are highly esteemed by them; and are, even at their present prices, extensively consumed. But a reduction of a half, or even a fourth, from their price, would add prodigiously to the demand for them. It would enable their present consumers to use them in larger quantities; while it would at the same time, bring many of them fully under the command of a very large class by whom they are now used as luxuries only on rare occasions. The history of taxation in this and other coun-

tries fully confirms this statement. When carried beyond due limits, taxes on commodities cease to be productive; and recover that quality when they are reduced. There is much truth in the shrewd remark of Dr. Swift, that in the arithmetic of the customs two and two do not always make four, but, sometimes, only one. In 1808, the duty on coffee was *1s.* 7*d*½. per lb., the quantity entered for consumption that year being 1,069,691 lbs., producing a nett revenue of 161,246*l.* In the course of the year, the duty was reduced to 7*d.* per lb.; and next year no fewer than 9,251,837 lbs. were entered for home consumption, producing a nett revenue of 245,886*l.*! The coffee duty has since been lowered to 6*d.*; and the quantity entered for consumption is now about 23,000,000 lbs., and the revenue about *four times* as great as before the reduction! The history of the duties on tea, spirits, wine, sugar, and indeed of every other article in extensive demand, is precisely similar. When carried to an oppressive height, the duty either occasions the use of the article to be given up, or, which is the most common case, it makes it be supplied through clandestine channels in defiance of the law. But when the duty is moderate, the taste for the article is diffused; and the profits to be made by trampling on the law not being sufficient to remunerate the smuggler, he is forced to abandon his hazardous occupation, and the article is wholly supplied through legitimate channels. After the various disastrous consequences entailed on the country by the exorbitant height to which many duties were carried previously to 1825, and the signal advantages that have resulted to the revenue and the public from their subsequent modification, it may be hoped that the principle now stated will meet with more attention in future.

The attempts that have been made in Great Britain and elsewhere to suppress smuggling, and at the same time to maintain exorbitant duties, have all signally failed. It has been invariably found, that no severity of the law, nor vigilance on the part of the officers, can prevent the smuggling of commodities loaded with excessive duties. At this moment it is supposed, that from 500,000 to 600,000 gallons of foreign brandy and geneva find their way into our market without paying any duty, in defiance of the coast guard, and of all the other machinery for keeping them out. Large quantities of tobacco are also smuggled. In fact, there are no means of effectually putting down smuggling other than a reduction of duty. The very severity of the laws prevents their execution. It creates a sympathy in favour of the smuggler; it stimulates the trader to corrupt the officer to conceal a fraud; and it makes the officer overlook what he might otherwise discover.

The Excise revenue of 1835 was collected in Great Britain at a charge of 6*l.* 13*s.* 6¾*d.* upon its gross produce; and in Ireland at a charge of 9*l.* 13*s.* 6¼*d.* on ditto.

Stamp Duties. — These duties form the next most important branch of the public revenue after the customs and excise. They are mostly laid on the parchment or paper on which certain deeds, contracts, receipts, acquittances bills of exchange, newspapers, policies of insurance, indentures of apprenticeship, &c., are written or printed; and derive their name from the parchment or paper being impressed with a stamp, stating the amount of the duty. When imposed on fair principles, and not carried to too great a height, stamp

duties seem to be one of the most legitimate sources of revenue. They assist in authenticating legal instruments, and render it much more difficult than formerly to forge deeds of any standing. It is needless, perhaps, to say, that if stamp duties be carried to such a height as to oppose any serious obstacle to the free circulation of property, or to the execution of necessary deeds, they become exceedingly injurious. Perhaps the duty on fire insurance is the most objectionable of the existing stamp duties. It amounts to 3*s.* per cent. on all property insured; whereas the premium paid to the insurance office, on ordinarily hazardous property, is no more than 1*s.* 6*d.* per cent., or *only half the duty*. Thus, if a person wish to insure 1000*l.* on a dwelling-house, a shop, warehouse, or other commonly hazardous property he pays 15*s.* to an insurance office, as an indemnification for the risk, and 30*s.* to government for leave to enter into the transaction! So exorbitant a duty cannot be too severely condemned. It discourages that providence and foresight the encouragement of which ought to be an object with all prudent governments; and it is the principal cause that much property is not insured at all, and that what is insured is seldom sufficiently covered. Every individual, in fact, who insures any commonly hazardous property, is obliged *to pay three times as much as the risk is really worth!* Under such circumstances the wonder certainly is not that a great deal of property is uninsured, but that such is not the case with a great deal more. Seeing the vast importance of insurance, it may well be doubted whether it ought to be charged with any duty, however slight. But were the duty fixed at 6*d.* per cent., or at a third part of the premium, its influence in repressing insurance would not be very sensible. And the increase of business to which such a reduction of the duty would lead would be so very great, that we have little doubt that in a few years the reduced duty would yield nearly as large a revenue as is derived from the present exorbitant duty.

The duties on legacies, and on the probates of wills, are included under the head of stamp duties, of which they are very important items. These duties affect only personal, or moveable property. The first, or legacy duty, varies according to the propinquity of the successor; being 1 per cent. on property devolving on children and lineal heirs; 3 per cent. on property devolving on brothers and sisters; 4 per cent. on property devolving on cousins; and 10 per cent. on property devolving on strangers. The probate duty varies according to the amount of property in the will. Hitherto it has pressed with greater proportional severity on small than on large sums; but this inequality is now, in part at least, in the way of being obviated by a bill at present before parliament. The duties on stage and hackney coaches, gold and silver plate, &c., come under the head of stamps.

The principal objection to taxes on successions, or on the transfer of property from the dead to the living, consists in the circumstance of their falling wholly on capital, without occasioning any effort to replace their amount by increased exertion or economy. If a legacy of 1000*l.* be subject to a tax of 10 per cent., or 100*l.*, the legatee considers his legacy as only 900*l.* and feels no particular inclination to save the 100*l.*; whereas, had he received the whole 1000*l.*, and been required to pay 100*l.* in taxes on income

or commodities, the desire to preserve his capital unimpaired, would have prompted him to endeavour to defray the tax by increased industry or economy, or both. On the other hand, however, the taxes in question are easily collected, and seldom give any disturbance to the existing distribution of capital, as is invariably almost the case with taxes on income or expenditure. Provided, therefore, they be not carried to an excess, or be imposed on an unjust principle, the legacy and probate duties do not seem very objectionable.

Stamp duties were introduced into England in 1671, by a statute entitled "An Act for laying Impositions on Proceedings at Law." The duties were at first granted for only nine years, and were afterwards continued for three years more, when they were allowed to expire. They were again revived in 1693, and have since been gradually and greatly increased. The stamp duties are collected at the moderate charge of about 2½ per cent. on the gross amount.

Land Tax. — The circumstances that gave rise to this tax have been already noticed. — (*Antè*, p. 505.) The valuation, according to which it is now assessed, was fixed in 1692; when it was found that a charge of 1*s.* per pound on the rental of the country, produced 500,000*l.* No subsequent change has been made in this valuation. The tax, which was annually voted, usually amounted to 4*s.* per pound of the valued rent. In 1798 it was made perpetual at that rate, leave being, at the same time, given to the proprietors to redeem it.

The land tax has always been very unequal. When imposed, the proprietors friendly to the Revolution returned their estates at a much higher value than those attached to the House of Stuart. The different degrees of improvement that have since taken place in the various districts of the country have, in some instances, tended to correct the inequalities in the original imposition of the tax, but their more common effect has been to increase them.

Assessed Taxes. — These form the fourth great head of revenue. They include the duties on windows, servants, horses, dogs, carriages, armorial bearings, game, &c. The house duty, that used to be one of the principal items in the assessed taxes, has been recently repealed. A hearth tax, or duty proportioned to the number of fire-places in a house, was established in this country at a very early period. But, owing to its being necessary to the apportionment of the tax, that the government officers should be admitted to view the inside of each house, the hearth tax became exceedingly unpopular, and was repealed by the stat. 1 Will. and Mary, c. 10. This statute declares hearth-money to have been, "not only a great oppression to the poorer sort, but a badge of slavery upon the whole people, exposing every man's house to be entered into, and searched at pleasure, by persons unknown to him; and, therefore, to erect a lasting monument of their majesties' goodness in every house in the kingdom, the duty of hearth-money was taken away and abolished."

But, six years afterwards, "the prospect of this monument of goodness was," to use Blackstone's words, "somewhat darkened," by the passing of

an act (7 Will. 3. c. 18.) laying a duty on all inhabited houses, except cottages, and also on windows. These duties were afterwards considerably increased. They were, however, materially modified within the last few years; and neither the existing window tax, nor the house tax, previously to its repeal, could be said to be oppressive. Indeed, out of 2,850,937 inhabited houses in Great Britain, in 1831, only 442,482, or not *a sixth part* of the entire number, paid duty in 1833. All houses below 10*l.* a year of rent were exempted from the duty; the rate of charge on those that were assessed being 1*s.* 6*d.* per pound on houses worth from 10*l.* to 20*l.* a year; 1*s.* 3*d.* per pound on those worth from 20*l.* to 40*l.*; and 2*s.* 10*d.* per pound on those worth 40*l.* and upwards. The assessed taxes do not extend to Ireland. The cost of their collection amounted, in 1836, to 5*l.* 7*s.* 9¼*d.* per cent. of the gross produce.

The house tax being assessed according to the rent, it frequently happened that private houses, shops, and taverns in towns, were assessed in a larger sum than the finest houses of the nobility and gentry in the country. There was not, however, any injustice in this; for, in point of fact, had any attempt been made to let the latter, they would rarely have found a tenant, or brought any rent. This apparent inequality afforded, however, a convenient topic for declamation, and for raising an outcry against the tax, which was, in consequence, repealed in 1835.

The real cause of the unpopularity of the house tax, and, indeed, of all the other assessed taxes, consists in their being direct; and, consequently, admitting no disguise or concealment. Where duties are laid on imported articles, or on articles produced at home, through the intervention of the customs or excise, the duty is confounded with, and appears to form part of the natural price of the commodity. No separate demand being made upon the consumer for the duty, it escapes his recollection, so that the article he receives seems the full equivalent of what he pays. But the assessed taxes cannot be so mixed up with other things. And as every one has an extreme repugnance to part with money without receiving some tangible, or sensible equivalent, such taxes are always very unpopular, and seldom escape being considered as oppressive even when they happen to be most moderate.

Post Office Revenue. — We have already noticed the conveyance of letters by post, and the expediency of keeping the rates of postage reasonably low (*antè*, p. 186.). It may, however, be doubted whether we have sufficiently respected this principle. The nett produce of the Post Office revenue has varied but little for these dozen years, notwithstanding the rapid increase in the interval of the population and correspondence of the country. Perhaps, however, the stationary amount of this branch of the revenue is as much owing to the extraordinary facilities that are afforded for the conveyance of letters and parcels by ordinary stage coaches and steam packets, as to the too great magnitude of the postage. The latter, however, ought certainly to be restricted.

The expenses of collecting the Post Office revenue are very considerable. Its *gross* receipt during the year 1835, amounted to 2,353,341*l.*; of which Great Britain produced 2,107,677*l.*, and Ireland 245,665*l.* The charge on account

of collection during the above year was, in Great Britain, 27*l.* 12*s.* 9*d.*, and in Ireland 39*l.* 4*s.* 2½*d.* per cent. on the gross revenue. We have subjoined an account of the postage received in the principal towns of Great Britain and Ireland, in 1832, 1833, and 1834.

Taxes on Income. — To provide means for defraying the enormous expenses of the war begun in 1793, very large additions were made to the duties of customs and excise, as well as the duties on stamps, and the assessed taxes. In many instances, indeed, as already stated, these additions were so very exorbitant, that they defeated their own purpose, and were really less productive than they would have been had they been lower. But, notwithstanding this error, they yielded a very large increase of revenue, though, being still inadequate to meet the expenses of the war, a more efficient system of direct taxation was resorted to. The income tax was introduced by Mr. Pitt, in 1798. According to the provisions of the act by which it was imposed, all incomes of less than 60*l.* a year were exempted from assessment; an income of from 60*l.* to 65*l.* was taxed $\frac{1}{120}$th part; and the rate of duty increased through a variety of gradations till the income reached 200*l.* a year, or upwards, when it amounted to $\frac{1}{10}$th part, which was its utmost limit; a variety of deductions being, at the same time, granted on account of children, &c. The commissioners, intrusted with the management of the tax, were chosen by the freeholders of counties, and the electors of boroughs, in the same way as their representatives in parliament, only that a smaller qualification was necessary to enable any one to be elected a commissioner. The services of the commissioners were gratuitous; and they were sworn to preserve secrecy with respect to the affairs of individuals. They were authorised to call for returns from all persons whose revenue they supposed to exceed 60*l.* a year; and in the event of their being dissatisfied with these returns, they were empowered to call for written explanations, and ultimately for the oath of the party. But this examination was rarely necessary, except in the case of the incomes of manufacturing and commercial and professional men. The rental of landlords was, in most cases, learned from the leases, or agreements under which their tenants held; while the profits or income of the tenants was assumed to amount, in all cases, in England, to *three-fourths*, and in Scotland, to *half* the rent paid to the landlords! The commissioners were assisted, or rather overlooked, by the tax surveyors appointed by government, who were required to see the provisions of the act strictly enforced, and whose duty it was to scrutinise all returns of income, to challenge such as they considered fraudulent, to object to the deductions allowed by the ordinary commissioners, and to bring the matter under the review of the commissioners of appeal, whose sentence was final. Infinite fraud and evasion were certainly practised; and nothing could be more glaringly unjust and absurd than the rule for estimating farmers' incomes. But, on the whole, the provisions of the act were enforced better than could have been anticipated.

This tax was repealed in 1802, after the peace of Amiens, having produced, at an average, about 5,500,000*l.* a year.

In 1803 the income tax was again revived under the name of a property tax. The assessment began, as before, on incomes as low as 60*l.* a year,

and gradually increased till the income reached 150*l.* a year, when it amounted to 5 per cent., which was its highest rate. An addition was made to this tax in 1805; and, in 1806, during the short-lived administration of Mr. Fox and Lord Grenville, the assessment was raised to 10 per cent. on all incomes, however small, arising from land or capital; professional incomes under 50*l.* were exempted from the tax; and incomes of that sort, exceeding 50*l.* and under 150*l.*, the limit at which they became subject to the full assessment of 10 per cent., were allowed deductions varying inversely as their magnitude. This tax was finally repealed in 1816, when that wanton and barbarous destruction of the papers relating to it, to which we have previously adverted (Vol. i. p. 530.), was consummated. We have subjoined some of the general statements with respect to the property tax that escaped the conflagration referred to.

Remarks on Property and Income Taxes. — Within these few years efforts have been sometimes made, by different parties in parliament, to effect a commutation of some of the existing duties for a duty on property or income, or both. These proposals have met with but little countenance, though that little has been quite as much as they deserved. Taxes on either income or property, though theoretically equal, are, practically, the most unequal that can be imagined. It is, indeed, quite impossible to assess them with any thing like fairness. We may get a pretty accurate notion of the income derived from lands, houses, funded property, and mortgages; but all beyond this is mere guesswork. There are no means by which to ascertain the amount of farming capital, stock in trade, the profits derived from them, or the incomes of professional men. No inquisition into the private affairs of individuals can ever discover these particulars. There is nothing, in fact, to depend upon in such cases, but the declarations of the parties; and we need not dwell on the impolicy of any system of finance that sets the duty and the interests of the contributors in opposition; and makes them profit by concealing or perverting the truth. Besides, although these preliminary and insuperable difficulties were overcome, and we learned the capital and incomes of different parties, we should have other and greater difficulties to surmount, before the tax could be fairly assessed. The same deduction ought not to be made from all incomes without taking into account the sources whence they are derived. To assess them on a just principle, the present value of different incomes, or their value reduced to a perpetuity, would have to be determined. But it may be unhesitatingly affirmed, that to do this upon a large scale would be quite impracticable. It is clear, therefore, that taxes on income, or property, ought not to be introduced except as a *dernier ressort*, as a means of filling the coffers of the treasury, when the other and more legitimate sources of revenue are insufficient, and money must notwithstanding be had at all hazards.

It is, besides, absurd to suppose that the burdens that at present fall on the labouring classes, could be sensibly reduced by repealing the duties on tea, sugar, soap, &c., and imposing in their stead taxes on property. Suppose that the attempt were made, and observe what the result must be. A manufacturer employs a certain number of men who pay 1,000*l.* a year in taxes on com-

modities. Now if the taxes that are at present paid by the labourers be repealed, those that fall on their employers must be equally increased; so that the manufacturer in question will have 1,000*l.* more to pay in taxes after the change takes place, and will, of course, have 1,000*l.* less to lay out on wages. It is consequently contradictory and absurd to suppose that you can improve the condition of the labouring classes by repealing the taxes that fall on them, to lay them on capitalists.

Direct taxes on property have been the curse of every country into which they have been introduced. To evade them, people that are not poor counterfeit poverty; some of the most powerful incentives to industry and economy are in consequence destroyed, at the same time that inferior stock, machinery, &c., are made use of. Such taxes are, besides, most unpopular, as well from their requiring an odious, though ineffectual, inquisition into the affairs of individuals, as from their being direct. So much is this the case, that we are well convinced that the raising of eighteen or twenty millions by taxes on income would be felt to be a much greater burden, and would really be far more injurious, than the raising of fifty or sixty millions by our present taxes.

Collection of Taxes.—Taxes in Great Britain are almost wholly collected by government officers, paid by salaries. The customs duties, the excise duties, and the duties on stamps, with the assessed taxes, are each under the management of a particular department, having at its head a board of commissioners with various classes of inferior officers. The Post Office revenue is managed by a postmaster-general, and a principal secretary. The heads of the different revenue departments correspond with, and receive their instructions from, the treasury, to which is committed the charge of supervising, controlling, and regulating all matters connected with the assessment and collection of taxes. The number of commissioners in the different revenue boards was formerly much greater than at present; and it is contended by some very high authorities that their number might still be advantageously reduced; and that the whole responsibility should rest with the head of each department. Various reforms and retrenchments have been also introduced into the subordinate departments, and not a few abuses have been rectified in the assessment and collection of most duties. Perhaps the only very material reforms that need now be looked for in this department must arise rather from changes and modifications of duties, than from any changes in the plans under which they are charged and collected. The reduction of the present exorbitant duties on brandy, geneva, and tobacco, by taking away an overwhelming temptation to their clandestine importation, would enable a large saving to be effected in the customs department, at the same time that it would be productive of various other beneficial consequences. In the excise there remains little to be amended; and were the glass duties repealed, and the regulations as to management suggested by the Commissioners of Inquiry adopted, the system would have received all the perfection of which it seems capable.

TABLES.

I. Gross Public Income of the United Kingdom in 1832, 1833, and 1834. — (*Parl. Paper*, No. 302. Sess. 1835.)

Heads of Income.	1832.		1833.		1834.	
Customs and Excise.	*L.*	*L.*	*L.*	*L.*	*L.*	*L.*
Spirits { Foreign	1,857,718	- -	1,567,772	- -	1,599,339	
Spirits { Rum	1,580,350	- -	1,540,297	- -	1,505,138	
Spirits { British	5,163,179	- -	5,257,867	- -	5,286,668	
Malt	4,825,130	- -	4,923,074	- -	4,963,324	
Beer	51	—	—	—	—	
Hops	294,326	- -	228,317	- -	264,269	
Wine	1,715,810	- -	1,633,870	- -	1,705,639	
Sugar and molasses	4,648,990	- -	4,703,925	- -	4,788,013	
Tea	3,509,835	- -	3,444,102	- -	3,589,365	
Coffee	598,038	- -	591,241	- -	614,434	
Tobacco and snuff	3,080,599	- -	3,140,085	- -	3,223,684	
		27,274,056		27,061,050		27,539,873
Butter	128,294	- -	135,961	- -	130,209	
Cheese	69,019	- -	66,846	- -	73,506	
Currants and raisins	465,144	- -	460,258	- -	364,452	
Corn	307,988	- -	35,285	- -	97,984	
Cotton wool and sheep's imported	731,584	- -	614,055	- -	506,984	
Silks	194,524	- -	208,021	- -	226,175	
Printed goods	3,375	- -	1,925	- -	331	
Hides and skins	43,334	- -	68,785	- -	74,842	
Paper	758,762	- -	799,897	- -	824,465	
Soap	1,187,551	- -	873,212	- -	737,510	
Candles and tallow	236,504	- -	171,585	- -	182,994	
Coals, sea-borne	54,420	- -	63,791	- -	34,141	
Glass	575,681	- -	621,462	- -	682,823	
Bricks, tiles, and slates	325,257	- -	305,209	- -	340,920	
Timber	1,238,289	- -	1,240,085	- -	1,333,454	
Auctions	227,236	- -	240,645	- -	253,120	
Excise licences	897,358	- -	925,599	- -	1,104,043	
Miscellaneous duties of customs and excise	1,693,076	- -	1,679,104	- -	1,578,633	
		9,137,426		8,501,715		8,546,586
Total of customs and excise	*L.*	36,411,482	- -	35,562,765	- -	36,086,459
Stamps.						
Deeds and other instruments	1,458,312	- -	1,511,557	- -	1,548,490	
Probates and legacies	2,093,433	- -	2,015,637	- -	2,129,069	
Insurance { Marine	210,224	- -	210,952	- -	200,983	
Insurance { Fire	796,948	- -	798,567	- -	771,435	
Bills of exchange, bankers' notes, &c.	626,960	- -	644,288	- -	626,138	
Newspapers and advertisements	643,888	- -	588,773	- -	533,236	
Stage coaches	414,033	- -	445,641	- -	487,824	
Post horses	245,069	- -	215,682	- -	228,708	
Receipts	212,497	- -	199,065	- -	164,987	
Other stamp duties	488,529	- -	500,421	- -	472,314	
		7,119,893		7,130,583		7,163,184
Assessed and Land Taxes.						
Land taxes	1,184,310	- -	1,155,019	- -	1,203,579	
Houses	1,390,985	- -	1,262,754	- -	780,319	
Windows	1,202,931	- -	1,201,968	- -	1,247,192	
Servants	307,182	- -	255,356	- -	189,780	
Horses	419,786	- -	414,257	- -	412,958	
Carriages	408,415	- -	406,487	- -	409,112	
Dogs	177,966	- -	172,080	- -	172,274	
Other assessed taxes	242,081	- -	243,149	- -	247,151	
		5,333,686		5,111,070		4,662,345
Post office	- -	2,175,291	- -	2,180,181	- -	2,209,439
Crown lands	- -	359,525	- -	424,553	- -	354,981
Other ordinary revenues and other resources	- -	229,829	- -	187,513	- -	157,137
Total income	*L.*	51,629,706	- -	50,606,465	- -	50,633,545

II. Account of the Rates of Customs' Duty imposed on the principal Articles imported into the United Kingdom, as they stood on the 1st of July, 1836.

	Duty. L.	s.	d.
Ashes, pearl and pot, per cwt.	0	6	0
Barilla, per ton	2	0	0
Bark, for tanners' or dyers' use, per cwt.	0	0	8
Bones of cattle and other animals, and of fish, except whale	0	8	0
Books, being of editions printed prior to the year 1801, bound or unbound, per cwt	1	0	0
being of editions printed in or since the year 1801, bound or unbound, per cwt.	5	0	0
Borax or tincal, per cwt.	0	4	0
Brazil wood, per ton	2	0	0
Brimstone, per cwt.	0	0	6
refined, or in rolls, per cwt.	0	6	0
in flour, per cwt.	0	9	9
Bristles, viz.			
rough and in the tufts, and not in any way sorted, per lb.	0	0	2½
in any way sorted, or arranged in colours, and not entirely rough, and in the tufts, per lb.	0	0	3½
Cheese, per cwt.	0	10	6
Chicory, and any other vegetable matter applicable to the uses of chicory or coffee, roasted or ground, per lb.	0	0	6
China ware or porcelain, viz.			
plain, for every 100l. value	15	0	0
painted, gilt, or ornamented, for every 100l. value	30	0	0
Cinnamon, per lb.	0	1	0
imported from any British possession, per lb.	0	0	6
Clocks, for every 100l. value	25	0	0
Cochineal, per lb.	0	0	6
Cocoa, per lb.	0	0	6
the produce of, and imported from, any British possession, per lb.	0	0	2
Coffee, per lb.	0	1	3
the produce of, and imported from, any British possession in America, per lb.	0	0	6
or any British possession within the limits of the East India Company's charter, per lb.	0	0	6
Copper ore, per cwt.	0	12	0
Cork, per cwt.	0	8	0
Corn, imported from a foreign country, viz.			
Wheat, viz. whenever such average price shall be 62s. and under 63s. per quarter	1	4	8
63s. — 64s. —	1	3	8
64s. — 65s. —	1	2	8
65s. — 66s. —	1	1	8
66s. — 67s. —	1	0	8
67s. — 68s. —	0	18	8
68s. — 69s. —	0	16	8
69s. — 70s. —	0	15	8
70s. — 71s. —	0	10	8
71s. — 72s. —	0	6	8
72s. — 73s. —	0	2	8
at or above 73s.	0	1	0
under 62s. and not under 61s. per quarter	1	5	8
And in respect of each integral shilling, or any part of each integral shilling by which such price shall be under 61s., such duty shall be increased by 1s.			
Barley, 33s. and under 34s. per quarter	0	12	4
And in respect of every integral shilling by which such price shall be above 33s., such duty shall be decreased by 1s. 6d. until such price shall be 41s.			
at or above 41s. per quarter	0	1	0
under 32s. and not under 32s. per quarter	0	13	10
And in respect of each integral shilling, or any part of each integral shilling, by which such price shall be under 32s., such duty shall be increased by 1s. 6d.			
Oats, 25s. and under 26s. per quarter	0	9	3
And in respect of every integral shilling by which such price shall be above 25s., such duty shall be decreased by 1s. 6d. until such price shall be 31s.			
at or above 31s. per quarter	0	1	0
under 25s. and not under 24s. per quarter	0	10	9
And in respect of each integral shilling, or any part of each integral shilling, by which such price shall be under 24s., such duty shall be increased by 1s. 6d.			
Rye, peas, and beans, 36s. and under 37s. per quarter	0	15	6
And in respect of every integral shilling, by which such price shall be above 36s., such duty shall be decreased by 1s. 6d. until such price shall be 46s.			
at or above 46s. per quarter	0	1	0
under 36s. and not under 35s. per quarter	0	16	9
And in respect of each integral shilling, or any part of each integral shilling, by which such price shall be under 35s., such duty shall be increased 1s. 6d.			

	Duty. L.	s.	d.
Wheat meal and flour, for every barrel, being 196 lbs., a duty equal in amount to the duty payable on 3851 gallons of wheat.			
Oatmeal, for every quantity of 181½ lbs., a duty equal in amount to the duty payable on a quarter of oats.			
Maize or Indian corn, buck wheat, beer or bigg, for every quarter a duty equal in amount to the duty payable on a quarter of barley.			
Corn, grain, meal, and flour, the produce of, and imported from, any British possession in North America or elsewhere out of Europe, viz.			
Wheat (until the price of British wheat be 67s. per quarter), per quarter	0	5	0
at or above 67s. per quarter	0	0	6
Barley (until the price of British barley be 34s. per quarter), per quarter	0	2	6
at or above 34s. per quarter	0	0	6
Oats (until the price of British oats be 25s. per quarter), per quarter	0	2	0
at or above 25s. per quarter	0	0	6
Rye, peas, or beans (until the price of British rye, peas, or beans shall be 41s.), per quarter	0	3	0
at or above 41s. per quarter	0	0	6
Wheat meal and flour, for every barrel, being 196 lbs., a duty equal in amount to the duty payable on 385 gallons of wheat			
Oatmeal, for every quantity of 181½ lbs., a duty equal in amount to the duty payable on a quarter of oats.			
Maize or Indian corn, buck wheat, beer or bigg, for every quarter, a duty equal in amount to the duty payable on a quarter of barley.			
Cotton, manufactures of, for every 100l. value	10	0	0
Currants, per cwt.	1	2	2
Eggs, per 120	0	0	10
Figs, per cwt.	0	15	0
Flax, and tow of codilla of hemp or flax, whether dressed or undressed, per cwt.	0	0	1
Gloves (of leather), viz.			
habit gloves, per dozen pair	0	4	0
men's gloves, per dozen pair	0	5	0
women's gloves or mitts, per dozen pair	0	7	0
Gum Arabic, per cwt.	0	6	0
shell lac, per cwt.	0	6	0
Hemp, viz. rough or undressed, or any other vegetable substance of the nature and quality of undressed hemp, and applicable to the same purposes, per cwt.	0	0	1
Hides, viz.			
dry, per cwt.	0	4	8
wet, per cwt.	0	2	4
Indigo, per lb.	0	0	4
Iron, in bars, or unwrought, per ton	1	10	0
Isinglass, per cwt.	2	7	6
Liquorice juice, or succus liquoritiæ, per cwt.	3	15	0
Mace, per lb.	0	4	6
Madder, per cwt.	0	2	0
root, per cwt.	0	0	6
Mahogany, per ton	7	10	0
imported from any British possession per ton	4	0	0
imported from the Bay of Honduras, in a British ship	1	10	0
Nutmegs, per lb.	0	3	6
Nuts, viz.			
small nuts, per bushel	0	2	0
walnuts, per bushel	0	2	0
Oil of olives, per tun	4	4	0
imported from the dominions of the king of the Two Sicilies, per tun	8	8	0
palm, per cwt.	0	2	6
Oranges and lemons, the chest or box, viz. not exceeding the capacity of 5,000 cubic inches	0	2	6
Ore, viz. copper ore	0	12	0
Pepper, of all sorts, per lb.	0	1	6
imported from any British possession within the limits of the East India Company's charter, per lb.	0	1	0
Pimento, per lb.	0	1	3
produce of and imported from any British possession, per lb.	0	0	3
Platting of straw, per lb.	0	17	0
Plums, dried or preserved, per cwt.	1	7	6
Prints and drawings, each	0	0	1
coloured, each	0	0	2
Prunes, per cwt.	1	7	6
Quassia, per cwt.	8	17	6
Quills, viz.			
goose, per 1,000	0	2	6
swan quills, per 1,000	0	12	0
Rags, viz.			
old rags, old ropes, or junk, or old fishing nets, fit only for making paper or pasteboard, per ton	0	5	0
woollen rags, fit only for manure, per ton	0	1	0

Table II. — *continued.*

	Duty.				Duty.		
	L.	*s.*	*d.*		*L.*	*s.*	*d.*
Raisins, per cwt.	0	15	0	molasses, per cwt.	1	3	9
Rape cakes, per cwt.	0	0	2	the produce of, and imported from, any British possession, per cwt.	0	9	0
Rice, viz.				Tallow, per cwt.	0	3	2
not being rough and in the husk, per cwt.	0	15	0	Tapioca, per cwt.	0	1	0
rough and in the husk, or paddy, per bushel	0	2	6	Tar, viz. the last, containing twelve barrels, each barrel not exceeding 31½ gallons	0	15	0
Saffron, per lb.	0	1	0	Tea, after 1st July, 1836, per lb.	0	2	1
Sago, per cwt.	0	1	0	Teeth, viz.			
Sapan wood, per ton	0	1	0	elephants', per cwt.	1	0	0
Seed, viz.				sea cow, sea horse, or sea morse, per cwt.	1	0	0
clover seed, per cwt.	1	0	0	Tin, per cwt.	2	10	0
rape seed, per quarter	0	1	0	Tobacco, unmanufactured, per lb.	0	3	0
Senna, per lb.	0	0	6	Valonia, per cwt.	0	1	0
Shumach, per ton	0	1	0	Verdigris, per lb.	0	1	0
Silk, viz.				Wax, viz. bees', unbleached, per cwt.	1	10	0
knubs or husks of silk, and waste silk, per cwt.	0	1	0	Wine, viz.			
raw silk, per lb.	0	0	1	the produce of his Majesty's settlement of the Cape of Good Hope, per gallon	0	2	9
thrown silk, not dyed, viz.				French, Canary, Fayal, Madeira, Portugal, Spanish, &c.	0	5	6
singles, per lb.	0	1	6	Wood, the load of 50 cubic feet, if imported from any British possession in America	0	10	0
tram, per lb.	0	2	0	foreign	2	10	0
organzine and crape silk, per lb.	0	3	6	Wool, viz.			
thrown silk, dyed, viz.				cotton wool, per cwt.	0	2	11
singles or tram, per lb.	0	3	0	the produce of, and imported from any British possession, per cwt.	0	0	4
organzine or crape silk, per lb.	0	5	2	sheep or lambs' wool, viz. the produce of, and imported from, any British possession	Free		
Smalts, per lb.	0	0	4	produce of, and imported from, any other place, viz. not being the value of 1*s.* per lb., per lb.	0	0	0½
Spirits, viz.				being of the value of 1*s.* per lb., or upwards, per lb.	0	0	1
brandy, per gallon	1	2	6	Woollens, viz. manufactures of wool, not being goats' wool, for every 100*l.* value	15	0	0
rum, per gallon	0	9	0	Zaffre, per cwt.	0	1	0
arrack, per gallon	0	15	0				
Sponge, per lb.	0	0	6				
Sugar, viz.							
brown, muscovado, or clayed, not being refined, per cwt.	3	3	0				
the growth, produce, or manufacture of any British possession within the limits of the East India Company's charter, and imported from thence, per cwt.	1	12	0				
the growth, produce, or manufacture of any British possession in America, and imported from thence, per cwt.	1	4	0				

N. B. See *antè*, p. 158., for an account of the quantities of the different articles of foreign and colonial produce imported into, and exported from, the United Kingdom in 1833 and 1834, of the quantities of such produce entered for home consumption, and the nett revenue accruing thereon in each of these years. See also page 163. for an account of the gross and nett customs' duty collected at each custom-house of the United Kingdom, in 1833 and 1834. Subjoined is an

III. Account of the Gross and Nett Produce of the Customs' Duties in England Scotland, and Ireland, specifying each separately during the Years 1834 and 1835.

	Gross Receipt, 1834.	Gross Receipt, 1835.	Nett Receipt, 1834.	Nett Receipt, 1835.
	L.	*L.*	*L.*	*L.*
England	17,912,079	19,614,979	15,918,980	17,579,960
Scotland	1,441,345	1,529,811	1,090,485	1,199,293
Ireland	1,757,143	2,016,150	1,484,988	1,743,643
Totals	21,110,167	23,160,940*	18,494,453	20,522,896

IV. An Account of the Gross and Nett Produce of the Post Office Revenue for the United Kingdom, distinguishing England, Scotland, Ireland, and the Two-penny Post Department, for the Years 1834 and 1835.

	General Post.						Two-Penny Post.				Total Nett Revenue.	
	Gross Produce.	Returned &c. Letters.	Parliamentary Expences.	Expences.	Nett Produce.		Gross Produce.	Expences.	Nett Produce.			
					1833.	1834.			1833.	1834.	1833.	1834.
	L.	*L.*	*L.*	*L.*	*L.*	*L.*	*L.*	*L.*	*L.*	*L.*	*L.*	*L.*
England	1,268,085	73,976	16,236	508,083	1,195,307	1,166,700	109,148	45,125	59,108	63,723	1,518,398	1,496,816
Scotland	205,276	11,467	"	58,003	137,657	135,806	"	"	"	"		
Ireland	240,471	25,098	"	84,576	126,926	130,497	"	"	"	"		

* The gross receipt includes the sums paid on over-entries, as well as the costs of collection.

V. An Account of the several Articles charged with Duties of Excise in England, together with the Gross Amount of Duty thereon, during the Years 1832, 1833, and 1834.—(This and the following Accounts are from *Papers published by Board of Trade*, vol. iv. pp. 25-29.)

Articles.		Quantities charged.			Amount of Duty.								
		1832.	1833.	1834.	1832.			1833.			1834.		
					£.	s.	d.	£.	s.	d.	£.	s.	d.
Auctions, amount of sales charged with duty	£.	5,779,256	6,128,751	6,427,932	208,055	15	8	216,369	15	1	223,071	9	9
Bricks	No.	972,005,618	1,011,447,893	1,152,768,797	286,537	4	2	297,684	19	3	339,702	2	5
Tiles	—	73,133,665	7,769,218	—	35,724	4	8	4,327	19	6	—		
Glass, crown	cwts.	100,550	129,984	136,708	369,521	5	0	477,491	4	0	502,401	18	0
Flint	—	65,816	66,068	71,629	175,827	10	5	184,990	8	0	200,561	4	0
Plate	—	14,270	14,518	18,922	36,810	0	0	43,586	6	0	56,781	4	0
Broad	—	5,534	6,336	6,766	7,926	0	0	9,459	0	0	10,149	0	0
Bottle	—	257,292	265,192	281,020	90,852	4	0	93,972	4	0	98,357	0	0
Hops	lbs.	29,012,106	32,747,310	39,387,497	241,770	1	0	274,894	5	3	329,895	16	2
Licences, auctioneers'	No.	3,002	3,040	2,991	15,010	0	0	15,200	0	0	14,955	0	0
Brewers of strong beer not exceeding 20 barrels	—	8,473	8,362	8,308	4,236	10	0	4,181	0	0	4,154	0	0
Ditto exceeding 20 and not exceeding 50	—	6,801	7,203	7,226	6,801	0	0	7,203	0	0	7,226	0	0
Ditto exceeding 50 and not exceeding 100	—	9,422	9,493	9,814	13,683	0	0	14,235	0	0	14,721	0	0
Ditto exceeding 100 and not exceeding 1000	—	16,638	17,118	18,172	33,276	0	0	34,236	0	0	36,344	0	0
Ditto exceeding 1000 barrels	—	1,340	1,473	1,545	12,470	5	0	13,112	5	0	13,651	10	0
Brewers of table beer	—	16	14	17	13	10	0	10	0	0	15	0	0
Retail brewers, under the Act 5 Geo. 4. c. 54	—	40	35	25	210	0	0	183	15	0	331	5	0
Sellers of strong beer only, not being brewers	—	879	895	1,001	2,765	17	0	2,819	5	0	3,153	3	0
Beer retailers whose premises are rated under 20*l.* per annum	—	37,463	38,275	38,552	39,336	3	0	40,188	15	0	40,494	12	0
Ditto ditto, 20*l.* or upwards	—	14,606	14,751	14,889	46,008	18	0	46,465	13	0	46,900	7	0
Retailers of beer, cider, or perry, under the provisions of the Acts 1 Will. 4. c. 64, and 4 and 5 Will. 4. c. 85	—	33,515	34,976	37,381	70,381	10	0	73,449	12	0	90,997	4	0
Ditto of cider and perry only, under the same Acts	—	188	653	1,054	197	8	0	685	13	0	1,106	14	0
Tea and coffee dealers	—	75,823	76,832	78,278	41,702	13	0	42,257	12	0	43,052	18	0
Glass manufacturers	—	102	409	107	2,040	0	0	2,180	0	0	2,140	0	0
Maltsters	—	10,316	10,398	10,568	21,004	17	6	21,158	2	6	20,855	0	0
Paper makers	—	481	483	466	1,924	0	0	1,932	0	0	1,864	0	0
Paper stainers	—	102	103	103	408	0	0	412	0	0	412	0	0
Soap makers	—	251	249	239	1,004	0	0	996	0	0	956	0	0
Distillers and rectifiers	—	116	111	103	1,160	0	0	1,109	0	0	1,030	0	0
Dealers in spirits, not being retailers	—	2,885	2,986	3,019	28,850	0	0	29,860	0	0	30,190	0	0
Retailers of spirits whose premises are rated under 10*l.* per annum	—	14,491	14,754	14,543	30,431	2	0	30,983	8	0	45,785	5	0
Ditto ditto at 10*l.* and under 20*l.*	—	18,319	18,968	18,412	77,065	16	0	79,665	12	0	116,096	8	0
— 20*l.* — 25*l.*	—	3,995	3,991	2,960	18,931	0	0	18,905	5	0	27,890	2	0
— 25*l.* — 30*l.*	—	3,299	3,265	1,762	12,705	3	0	12,972	15	0	19,337	17	0
— 30*l.* — 40*l.*	—	3,369	3,385	3,360	28,299	12	0	28,431	0	0	42,665	0	0
— 40*l.* — 50*l.*	—	2,229	2,220	2,265	21,064	1	0	20,979	0	0	31,676	5	0
— 50*l.* and upwards	—	4,169	4,251	4,269	45,764	0	0	44,667	0	0	66,396	15	0
Starch makers	—	30	29	34	150	0	0	145	0	0	170	0	0
Makers of sweets	—	16	15	15	33	12	0	31	10	0	31	10	0
Retailers of ditto	—	718	773	829	753	18	0	811	13	0	870	9	0
Manufacturers of tobacco and snuff	—	294	295	298	3,405	0	0	3,495	0	0	3,500	0	0
Dealers in ditto	—	140,603	143,278	147,751	35,150	15	0	35,944	10	0	36,937	15	0
Vinegar makers	—	43	43	43	215	0	0	215	0	0	215	0	0
Dealers in foreign wine, not having a licence for retailing spirits, and a licence for retailing beer	—	2,726	1,770	1,756	17,260	0	0	17,700	0	0	17,560	0	0
Dealers in foreign wine, having a licence to retail beer, but not having a licence to retail spirits	—	25	32	46	105	0	0	134	8	0	193	4	0
Dealers in foreign wine, having licences to retail beer and spirits	—	18,128	18,607	18,485	38,068	16	0	39,074	14	0	38,818	10	0
Passage vessels on board which liquors and tobacco are sold	—	184	209	200	184	0	0	209	0	0	200	0	0
Surcharges	—				3,527	1	9	3,484	17	3	3,861	5	0
Amount of duty on licences granted for periods less than a year	—				9,073	14	0	8,932	4	9	8,861	0	6
Malt, from barley	bush.	31,669,769	33,787,039	34,449,646	4,090,678	9	11	4,361,413	13	3	4,449,745	18	10
Paper, first class	lbs.	40,192,389	42,735,480	44,718,546	506,154	4	9	534,193	10	0	558,919	6	6
Second class	—	13,457,233	14,198,399	14,211,991	81,107	14	0	85,739	18	8	85,819	6	4
Pasteboard, millboard, &c.	cwts.	36,092	37,537	39,035	39,674	4	0	42,652	14	6	44,196	10	3
Stained paper	yards	6,892,563	7,403,833	8,071,094	49,746	5	10	53,958	6	2	58,251	14	6
Soap, hard	lbs.	109,119,523	126,432,365	132,027,334	1,363,994	0	9	1,022,017	19	0	825,170	15	11
Soft	—	7,517,067	8,295,490	7,158,225	55,030	13	10	41,996	4	9	29,617	12	1
Spirits	galls.	7,259,287	7,717,303	7,644,301	2,722,232	12	6	2,893,988	12	6	2,866,612	17	6
Starch	lbs.	7,274,465	7,398,910	4,203,649	98,508	7	5	105,964	8	0	56,924	8	5½
Stone bottles	cwts.	15,226	15,592	15,890	3,806	10	0	3,898	0	0	3,972	10	0
Sweets	galls.	148,339	10,511	114,658	3,720	19	6	2,763	7	0	2,866	9	0
Tea	lbs.	31,548,107	31,529,619	14,427,616	3,509,580	15	6	3,441,103	7	7	1,455,383	19	10
Vinegar	galls.	2,846,394	2,783,575	3,012,214	23,724	2	4	23,211	9	2	25,101	15	5
Total					14,616,143	17	6	14,922,847	1	11	15,061,852	3	7½

VI. An Account of the Quantities of the several Articles charged with Duties of Excise in Scotland, together with the Gross Amount of Duty thereon, during the Years 1832, 1833, and 1834.

Articles.		Quantities charged.			Amount of Duty.					
		1832.	1833.	1834.	1832.			1833.			1834.		
					L.	*s.*	*d.*	*L.*	*s.*	*d.*	*L.*	*s.*	*d.*
Auctions, amount of sales charged with duty	*L.*	459,509	457,213	573,031	17,862	10	5	17,682	4	2	21,620	16	1½
Bricks	No.	26,342,741	24,467,769	27,392,451	7,785	14	8	7,257	2	8	8,105	2	10
Tiles	—	3,467,386	523,968	-	2,286	12	5	352	1	7			
Glass, crown	cwts.	3,352	-	-	12,318	12	0						
Flint	—	6,680	6,761	6,367	17,858	8	0	18,930	16	0	17,827	12	0
Bottle	—	45,820	48,943	51,410	15,337	0	0	17,130	1	0	17,933	10	0
Licences, auctioneers'	No.	390	378	365	1,950	0	0	1,890	0	0	1,825	0	0
Brewers of strong beer, not exceeding 20 barrels	—	122	145	154	61	0	0	72	10	0	77	0	0
Ditto, exceeding 20 and not exceeding 50	—	40	43	45	40	0	0	43	0	0	45	0	0
Ditto, exceeding 50 and not exceeding 100	—	40	43	33	60	0	0	64	10	0	49	10	0
Ditto, exceeding 100 and not exceeding 1000	—	189	209	201	378	0	0	418	0	0	408	0	0
Ditto, exceeding 1000 barrels	—	96	103	116	771	15	0	867	0	0	939	15	0
Brewers of table beer	—	83	82	52	83	10	0	77	10	0	59	0	0
Retail brewers, under the Act 5 Geo. 4. c. 54	—	10	15	22	52	10	0	78	15	0	115	10	0
Sellers of strong beer only, not being brewers	—	32	27	30	100	16	0	85	1	0	94	10	0
Beer retailers whose premises are rated under 20*l.* per annum	—	16,080	16,385	16,205	16,884	0	0	17,204	5	0	17,013	3	0
Ditto ditto, 20*l.* or upwards	—	811	795	769	2,554	13	0	2,504	5	0	2,422	7	0
Tea and coffee dealers	—	13,376	13,442	13,423	7,356	16	0	7,393	2	0	7,382	13	0
Glass manufacturers	—	8	9	8	160	0	0	180	0	0	160	0	0
Maltsters	—	2,187	2,515	1,974	1,919	2	6	1,963	0	0	2,022	5	0
Paper makers	—	54	42	48	216	0	0	168	0	0	192	0	0
Paper stainers	—	2	10	2	8	0	0	40	0	0	8	0	0
Soap makers	—	27	27	28	108	0	0	108	0	0	112	0	0
Distillers and rectifiers	—	248	241	239	2,480	0	0	2,410	0	0	2,390	0	0
Dealers in spirits, not being retailers	—	529	543	534	5,290	0	0	5,430	0	0	5,340	0	0
Retailers of spirits whose premises are rated under 10*l.* per annum	—	11,301	11,659	11,494	23,732	2	0	24,483	18	0	36,002	8	0
Ditto ditto at 10*l.* and under 20*l.*	—	4,380	4,301	4,169	18,396	0	0	18,064	4	0	25,813	4	0
— 20*l.* — 25*l.*	—	257	259	222	1,619	2	0	1,631	14	0	2,088	9	0
— 25*l.* — 30*l.*	—	146	131	133	1,073	2	0	962	17	0	1,458	19	6
— 30*l.* — 40*l.*	—	158	151	156	1,327	4	0	1,268	8	0	1,961	8	0
— 40*l.* — 50*l.*	—	64	64	63	604	16	0	604	16	0	893	0	6
— 50*l.* and upwards	—	170	165	166	1,785	0	0	1,732	10	0	2,609	5	0
Makers of stills	—	18	21	16	9	0	0	10	10	0	8	0	0
Chemists, or any other trade requiring a still	—	32	44	39	16	0	0	22	0	0	19	10	0
Starch makers	—	3	3	3	15	0	0	15	0	0	15	0	0
Makers of sweets	—	2	3	5	4	4	0	6	6	0	10	10	0
Retailers of ditto	—	44	42	37	46	4	0	44	2	0	38	17	0
Manufacturers of tobacco and snuff	—	145	146	141	980	0	0	970	0	0	940	0	0
Dealers in ditto	—	12,771	12,791	12,913	3,192	15	0	3,197	15	0	3,228	5	0
Vinegar makers	—	6	7	6	30	0	0	35	0	0	30	0	0
Dealers in foreign wine, not having a licence for retailing spirits, and a licence for retailing beer	—	39	40	36	390	0	0	400	0	0	360	0	0
Dealers in foreign wine, having a licence to retail beer, but not having a licence to retail spirits	—	46	27	35	151	4	0	113	8	0	138	12	0
Dealers in foreign wine, having licences to retail beer and spirits	—	2,502	2,566	2,508	5,254	4	0	5,388	12	0	5,266	16	0
Passage vessels on board which liquors and tobacco are sold	—	72	70	77	71	0	0	70	0	0	77	0	0
Surcharges	—	-	-	-	128	10	0	140	12	6	193	7	6
Amount of duty on licences granted for periods less than a year	—	-	-	-	3,393	1	0	3,637	17	3	3,677	9	6
Malt from barley	bush.	2,971,997	3,433,562	3,580,738	383,729	10	5	445,340	10	2	462,514	11	6
From beer or bigg	—	743,033	868,171	910,534	74,303	6	0	86,817	2	0	91,053	8	0
Paper, first class	lbs.	7,205,035	7,517,789	7,466,550	90,037	18	9	91,472	7	3	93,331	17	6
Second class	—	1,605,745	1,770,225	1,883,569	10,023	8	1	11,063	18	1	11,772	6	1½
Pasteboard, millboard, &c.	cwts.	7,881	8,579	9,992	8,266	2	6	9,019	17	0	10,096	17	0
Stained paper	yards	18,349	36,018	59,782	133	15	9	262	12	6	435	18	1½
Soap, hard	lbs.	10,385,569	11,738,422	12,316,691	129,794	12	4	93,150	0	0	76,979	6	4½
Soft	—	2,803,636	3,435,866	3,295,056	20,413	3	6	17,256	19	7	13,721	1	4
Spirits	galls.	4,861,478	5,988,556	6,045,013	810,246	6	8	998,092	13	4	1,007,502	3	4
Starch	lbs.	795,561	906,603	525,272	10,773	4	4	12,276	18	2	7,086	19	9
Stone bottles	cwts.	1,400	1,446	1,021	350	0	0	361	10	0	255	5	0
Sweets	galls.	4,828	6,591	8,969	120	14	0	164	17	0	224	4	6
Vinegar	—	24,289	21,931	21,002	202	8	2	182	15	2	175	0	4
Total		-	-	-	1,714,627	18	6	1,928,810	13	5	1,966,183	11	1½

VII. An Account of the Quantities of the several Articles charged with Duties of Excise, in Ireland, together with the Gross Amount of Duty thereon, during the Years, 1832, 1833, and 1834.

Articles.		Quantities charged.			Amount of Duty.		
		1832.	1833.	1834.	1832.	1833.	1834.
					L. s. d.	*L. s. d.*	*L. s. d.*
Auctions, amount of sales charged with duty	*L.*	284,988	271,432	330,926	10,401 1 11	9,929 12 8	11,644 1 11½
Glass, flint	cwts.	6,973	5,558	5,327	18,459 8 0	15,562 8 0	14,915 12 0
Bottle	—	11,219	5,963	11,584	3,937 8 0	2,087 1 0	4,054 8 0
Licences, auctioneers'	No.	236	268	248	1,180 0 0	1,340 0 0	1,240 0 0
Brewers of strong beer, not exceeding 20 barrels	—	28	20	34	14 0 0	10 0 0	17 0 0
Ditto exceeding 20, and not exceeding 50	—	4	3	5	4 0 0	3 0 0	5 0 0
Ditto exceeding 50 and not exceeding 100	—	3	7	14	4 10 0	10 10 0	21 0 0
Ditto, exceeding 100 and not exceeding 1,000	—	61	05	57	122 0 0	126 0 0	114 0 0
Ditto, exceeding 1,000 barrels	—	128	134	145	1,368 15 0	1,416 0 0	1,621 10 0
Brewers of table beer	—	35	- -	- -	110 5 0		
Sellers of strong beer only, not being brewers	—	- -	44	43	- -	138 12 0	135 9 0
Beer retailers whose premises are rated under 20*l.* per annum	—	16,599	18,739	17,700	17,428 19 0	19,675 19 0	18,585 0 0
Ditto ditto at 20*l.* or upwards	—	1,635	1,890	1,735	5,130 5 0	5,953 10 0	5,465 5 0
Tea and coffee dealers	—	10,992	11,304	11,848	6,045 12 0	6,217 15 0	6,516 8 0
Glass manufacturers	—	8	8	7	160 0 0	160 0 0	140 0 0
Maltsters	—	349	350	349	945 10 0	945 10 0	954 0 0
Paper makers	—	57	57	57	228 0 0	228 0 0	228 0 0
Paper stainers	—	34	41	45	136 0 0	164 0 0	180 0 0
Soap makers	—	237	223	204	948 0 0	892 0 0	816 0 0
Distillers and rectifiers	—	102	98	106	1,020 0 0	980 0 0	1,060 0 0
Dealers in spirits, not being retailers	—	358	365	372	3,580 0 0	3,650 0 0	3,720 0 0
Retailers of spirits whose premises are rated under 10*l.* per annum	—	12,658	14,605	13,124	26,581 16 0	30,670 10 0	39,856 19 0
Ditto ditto at 10*l.* and under 20*l.*	—	3,472	3,618	3,807	14,582 8 0	15,195 12 0	23,336 16 0
— 20*l.* — 25*l.*	—	438	468	463	2,759 8 0	2,948 8 0	4,282 19 0
— 25*l.* — 30*l.*	—	279	303	264	2,050 13 0	2,227 1 0	2,899 3 0
— 30*l.* — 40*l.*	—	352	392	359	2,956 16 0	3,292 16 0	4,135 4 0
— 40*l.* — 50*l.*	—	179	219	200	2,691 11 0	2,069 11 0	2,787 15 0
— 50*l.* and upwards	—	362	475	411	3,801 0 0	4,987 10 0	6,357 15 0
Makers of stiffs	—	6	7	7	3 0 0	3 10 0	3 10 0
Chemists, or any other trade requiring a still	—	20	22	29	10 0 0	11 0 0	14 10 0
Retailers of spirits in Ireland, being duly licensed to sell coffee, tea, &c. whose premises are rated under 25*l.* per annum	—	68	84	102	642 12 0	793 16 0	963 18 0
Ditto ditto at 25*l.* and under 30*l.*	—	4	4	4	42 0 0	42 0 0	73 10 0
— 30*l.* — 40*l.*	—	5	4	7	57 15 0	46 4 0	80 17 0
— 40*l.* — 50*l.*	—	8	11	9	100 16 0	138 12 0	113 8 0
— 50*l.* and upwards	—	36	38	30	491 8 0	518 14 0	409 10 0
Starch makers	—	26	28	23	130 0 0	140 0 0	115 0 0
Makers of sweets	—	7	9	8	14 14 0	18 18 0	16 16 0
Retailers of ditto	—	121	108	55	127 1 0	113 8 0	60 18 0
Manufacturers of tobacco and snuff	—	304	300	291	2,055 0 0	2,100 0 0	2,110 0 0
Dealers in ditto	—	10,684	11,216	11,636	2,671 0 0	2,804 0 0	2,909 0 0
Vinegar makers	—	5	5	5	25 0 0	25 0 0	25 0 0
Dealers in foreign wine, not having a licence for retailing spirits, and a licence for retailing beer	—	195	180	168	1,950 0 0	1,800 0 0	1,680 0 0
Dealers in foreign wine, having a licence to retail beer, but not having a licence to retail spirits	—	28	24	36	117 12 0	100 16 0	151 4 0
Dealers in foreign wine, having licences to retail beer and spirits	—	2,481	2,906	2,721	5,210 2 0	6,102 12 0	5,714 2 0
Passage vessels on board which liquors and tobacco are sold	—	2	- -	3	2 0 0	- -	3 0 0
Surcharges	—	- -	- -	- -	133 2 6	128 6 0	116 15 0
Amount of duty on licences granted for periods less than a year	—	- -	- -	- -	5,100 13 0	5,190 3 0	5,789 18 0
Malt, from barley	bush.	1,702,098	1,625,652	1,776,883	219,845 5 8	210,367 11 0	229,514 1 1
From beer or bigg	—	301,322	356,197	427,775	30,432 4 0	35,619 14 0	42,777 10 0
Paper, first class	lbs.	1,709,222	838,590	1,873,625	21,365 5 6	23,607 7 6	23,420 6 3
Second class	—	470,081	1,508,490	457,508	2,938 0 1	3,178 1 2	2,859 8 6
Pasteboard, millboard, &c.	cwt.	495	539	367	528 3 0	574 7 0	395 13 0
Stained paper	yards	299,625	530,905	618,268	2,184 16 8	3,871 3 7	4,508 4 0
Spirits	galls.	8,657,756	8,168,596	9,708,462	1,442,959 6 8	1,361,432 13 4	1,569,318 6 0
Sweets	—	5,265	5,139	5,178	131 12 6	128 9 6	79 9 0
Vinegar	—	43,078	55,774	58,038	358 19 8	464 15 8	483 13 0
Total		- -	- -	- -	1,865,299 10 2	1,790,502 7 5	1,849,256 11 10½

VIII. An Account of the Quantities of the several Articles charged with Duties of Excise, in the United Kingdom, together with the Gross Amount of Duty thereon, during the Years 1832, 1833, and 1834.

Articles.		Quantities charged.			Amount of Duty.					
		1832.	1833.	1834.	1832.			1833.			1834.		
					L.	s.	d.	L.	s.	d.	L.	s.	d.
Auctions, amount of sales charged with duty	L.	6,523,753	6,867,396	7,331,892	236,319	8	0	243,981	11	11	256,336	7	10½
Bricks	No.	998,516,362	1,035,915,666	1,180,361,228	294,322	18	10	301,942	1	11	347,305	5	2½
Tiles	—	76,601,651	8,293,186	-	38,010	17	1	4,680	1	1			
Glass, crown	cwts.	103,902	129,984	136,708	381,539	17	0	477,691	4	0	502,401	18	0
Flint	—	79,168	78,387	83,323	212,145	6	5	219,453	12	0	233,304	8	0
Plate	—	12,270	14,918	18,922	36,810	0	0	45,586	6	0	56,781	4	0
Broad	—	5,361	6,306	6,766	7,955	0	0	9,159	0	0	10,149	0	0
Bottle	—	312,361	323,398	344,014	109,326	7	0	115,189	6	0	120,401	18	0
Hops	lbs.	29,012,406	32,777,310	39,587,497	241,770	1	0	272,894	5	0	329,895	16	2
Licences, auctioneers'	No.	3,628	3,686	3,601	18,140	0	0	18,430	0	0	18,020	0	0
Brewers of strong beer, not exceeding 20 barrels	—	8,623	8,527	8,496	4,311	10	0	4,263	10	0	4,248	0	0
Ditto exceeding 20 and not exceeding 50	—	6,848	7,249	7,276	6,848	0	0	7,249	0	0	7,276	0	0
Ditto exceeding 50 and not exceeding 100	—	9,165	9,540	9,861	13,747	10	0	14,310	0	0	14,791	10	0
Ditto exceeding 100 and not exceeding 1,000	—	16,888	17,390	18,433	33,776	0	0	34,780	0	0	36,866	0	0
Ditto exceeding 1,000 barrels	—	1,564	1,710	1,806	14,610	15	0	15,595	5	0	17,212	15	0
Brewers of table beer	—	134	96	69	217	5	0	87	10	0	74	0	0
Retail brewers, under the act 5 Geo. 4. c. 54.	—	50	50	47	262	10	0	262	10	0	246	15	0
Sellers of strong beer only, not being brewers	—	911	966	1,074	2,569	13	0	3,012	18	0	3,383	2	0
Beer retailers, whose premises are rated under 20l. per annum	—	70,142	73,390	72,755	73,649	2	0	77,068	19	0	76,392	15	0
Ditto at 20l. or upwards	—	17,052	17,439	17,393	55,713	16	0	54,923	8	0	54,787	19	0
Retailers of beer, cider, or perry, under the provisions of the acts 1 Will. 4. c. 64., and 4 & 5 Will. 4. c. 85.	—	33,515	34,976	37,381	70,381	10	0	73,449	12	0	80,997	4	0
Ditto of cider and perry only, under the said acts	—	188	653	1,051	197	8	0	685	13	0	1,106	14	0
Tea and coffee dealers	—	100,191	101,579	105,549	55,105	1	0	55,868	9	0	56,951	19	0
Glass manufacturers	—	118	125	122	2,360	0	0	2,500	0	0	2,440	0	0
Maltsters	—	12,824	13,213	12,891	23,550	10	0	24,316	12	6	23,931	5	0
Paper makers	—	692	552	571	2,368	0	0	2,528	0	0	2,284	0	0
Paper stainers	—	133	154	150	552	0	0	616	0	0	600	0	0
Soap makers	—	515	499	471	2,060	0	0	1,996	0	0	1,884	0	0
Distillers and rectifiers	—	466	450	453	4,660	0	0	4,500	0	0	4,530	0	0
Dealers in spirits, not being retailers	—	3,772	3,894	3,925	37,720	0	0	38,940	0	0	39,250	0	0
Retailers of spirits, whose premises are rated under 10l. per annum	—	38,450	41,018	39,161	80,745	0	0	86,137	16	0	121,644	12	0
Ditto ditto at 10l. and under 20l.	—	26,201	26,887	26,358	110,044	0	0	112,925	8	0	165,446	8	0
— 20l. — 25l.	—	3,700	3,728	3,645	25,310	0	0	25,486	8	0	34,261	10	0
— 25l. — 30l.	—	2,154	2,199	2,159	15,831	18	0	16,162	13	0	23,655	19	6
— 30l. — 40l.	—	3,879	3,923	3,877	32,583	12	0	32,995	4	0	48,459	12	0
— 40l. — 50l.	—	2,472	2,503	2,528	23,360	8	0	23,653	7	0	35,557	3	6
— 50l. and upwards	—	4,700	4,894	4,846	49,350	0	0	51,387	0	0	75,363	15	0
Makers of stills	—	24	28	23	12	0	0	14	0	0	11	10	0
Chemists or any other trade requiring a still	—	52	66	68	26	0	0	33	0	0	34	0	0
Retailers of spirits in Ireland, being duly licensed to sell coffee, tea, &c., whose premises are rated under 25l. per annum	—	68	84	102	642	12	0	793	16	0	963	18	0
Ditto ditto at 25l. and under 30l.	—	4	4	7	42	0	0	42	0	0	73	10	0
— 30l. — 40l.	—	5	4	7	57	15	0	46	4	0	80	17	0
— 40l. — 50l.	—	8	11	9	100	16	0	138	12	0	113	8	0
— 50l. and upwards	—	36	38	30	491	8	0	518	14	0	409	10	0
Starch makers	—	59	60	60	295	0	0	300	0	0	300	0	0
Makers of sweets	—	25	27	28	52	10	0	56	14	0	58	16	0
Retailers of ditto	—	883	923	921	927	3	0	969	0	0	970	4	0
Manufacturers of tobacco and snuff	—	739	741	720	6,440	0	0	6,565	0	0	6,350	0	0
Dealers in ditto	—	161,058	167,785	172,500	41,014	10	0	41,946	5	0	43,075	0	0
Vinegar makers	—	54	55	54	270	0	0	275	0	0	270	0	0
Dealers in foreign wine, not having a license for retailing spirits, and a license for retailing beer	—	1,960	1,990	1,960	19,600	0	0	19,900	0	0	19,600	0	0
Dealers in foreign wine, having a licence to retail beer, but not having a licence to retail spirits	—	99	83	115	373	16	0	348	12	0	483	0	0
Dealers in foreign wine, having licences to retail beer and spirits	—	25,111	24,079	23,714	48,533	2	0	50,565	18	0	49,799	8	0
Passage vessels, on board which liquor and tobacco are sold	—	257	279	280	257	0	0	279	0	0	280	0	0
Surcharges	—	-	-	-	3,792	14	3	3,753	15	9	4,174	7	6
Amount of duty on licences granted for periods less than a year	—	-	-	-	17,567	8	0	18,060	5	0	18,328	8	0
Malt from barley	bush.	36,343,691	38,851,522	39,807,237	4,694,316	6	0	5,018,321	14	5	5,141,774	11	5
From beer or bigg	—	1,647,535	1,221,368	1,338,309	104,735	10	0	123,136	16	0	133,830	18	0
Paper, first class	lbs.	49,401,596	51,911,839	54,053,721	617,557	9	0	649,273	4	0	675,671	10	0
Second class	—	15,550,966	16,477,093	16,559,168	97,069	2	2	102,881	17	11	103,451	0	11½
Pasteboard, millboard, &c.	cwts.	43,168	46,655	49,392	45,463	9	6	52,246	18	6	51,689	0	3
Stained paper	yards	7,140,347	7,970,761	8,719,144	52,064	18	3	58,120	2	3	63,795	16	8½
Soap, hard	lbs.	119,503,092	138,170,787	144,344,013	1,495,788	13	1	1,115,167	19	0	902,150	5	4
Soft	—	10,350,703	11,731,156	10,401,281	75,473	17	4	59,253	4	4	43,338	13	5
Spirits	galls.	20,778,521	21,874,455	23,397,806	4,975,438	5	10	5,253,513	19	2	5,245,438	6	10
Starch	lbs.	3,070,086	3,805,513	4,726,921	109,381	11	9	119,241	6	2	64,010	8	0½
Stone bottles	cwts.	16,696	17,038	16,911	4,156	10	0	4,259	10	0	4,227	15	0
Sweets	galls.	158,932	122,267	126,805	3,973	6	0	3,056	13	6	3,170	2	6
Tea	lbs.	31,548,407	31,529,619	14,427,616	3,509,820	15	6	3,444,103	7	7	1,455,365	19	10
Vinegar	galls.	2,914,261	2,863,080	3,091,254	24,285	10	2	23,859	0	0	25,760	9	0
Total		-	-	-	18,266,071	6	2	18,612,160	2	9	16,877,299	6	6½

IX. An Account of the Revenue of Taxes in Great Britain, in 1832, 1833, and 1834, distinguishing by Estimate the Proportions collected under each Head of Duty. — (*Papers published by Board of Trade*, vol. iv. p. 36.)

Heads of Duty.	1832.		1833.		1834.	
	L.	*L.*	*L.*	*L.*	*L.*	*L.*
Land tax		1,184,340		1,155,019		1,203,578
Assessed taxes, viz.						
Windows—houses having 8 to 10	154,596		155,301		158,853	
11 — 15	279,845		277,298		287,936	
16 — 20	216,410		218,146		227,351	
21 — 30	252,776		255,104		263,255	
31 — 39	100,684		101,459		105,494	
40 — 44	39,844		39,507		41,240	
45 — 49	26,420		26,263		27,648	
50 — 59	35,763		35,734		36,678	
60 — 69	22,585		22,420		23,174	
70 and upwards	73,503		72,736		75,562	
		1,202,931		1,201,968		1,247,191
Inhabited house—rent 10*l.* to 15*l.* per annum	111,310		104,805		102,770	
15 — 20 —	91,090		83,372			
20 — 30 —	196,070		172,503		203,214	
30 — 40 —	124,224		154,766			
40 — 50 —	158,952		144,670		474,334	
50 — 60 —	109,673		101,372			
60 — 70 —	93,340		86,351			
70 — 80 —	60,718		55,180			
80 — 90 —	58,893		51,725			
90 — 100 —	26,940		25,534			
100 — 150 —	134,342		118,284			
150 — 200 —	57,476		51,872			
200 — 300 —	59,691		53,525			
300 — 400 —	21,101		21,617			
400 and upwards	36,165		37,180			
		1,390,985		1,262,754		780,318
Male servants, where 1 only is kept	65,423		63,139		67,104	
2 are kept	26,032		24,603		25,240	
3 —	19,904		18,886		19,516	
4 —	14,853		13,960		14,285	
5 —	10,301		9,757		9,800	
6 and under 10	21,155		19,933		20,389	
10 and upwards	21,687		20,226		20,820	
		179,358		170,504		177,244
Under gamekeepers		267		265		297
Travellers or riders, where 1 is kept	2,507		1,503			
2 or more	2,029		1,209			
		4,536		2,712		
Clerks and book-keepers, where 1 is kept	14,616		8,975			
2 or more	39,916		23,957			
		54,532		32,932		
Stewards, bailiffs, &c.		9,570		5,736		
Shopmen, warehousemen, &c.		44,532		28,464		
Waiters in taverns, &c.		5,787		5,732		5,987
Male persons not being servants to their employers		8,600		9,011		8,252
4-wheel carriages, where 1 only is kept	107,260		101,735		105,561	
2 are kept	31,288		31,631		34,501	
3 —	6,656		6,580		6,861	
4 and upwards	3,373		3,273		3,471	
		148,577		143,219		150,394
Post chaises and carriages		80,887		89,762		100,919
Public stage coaches		15,976				
2-wheel carriages		162,975		173,506		157,799
Horses used for riding or drawing carriages, where 1 is kept	174,300		169,825		168,119	
2 are kept	70,436		70,128		70,264	
3 —	26,799		26,804		26,915	
4 —	15,980		15,357		15,751	
5 —	8,471		8,548		8,457	
6 —	5,238		5,924		5,676	
7 and upwards	19,485		18,503		19,141	
		321,689		315,089		314,383
Horses charged at modified rates		35,271		35,875		36,019
Other horses and mules		62,826		63,293		62,555
Dogs, exclusive of packs of hounds	175,412		169,421		169,294	
packs of hounds	2,554		2,659		2,979	
		177,966		172,080		172,273
Horse dealers, London, &c.	1,808		1,921		1,650	
other parts	11,768		11,557		11,315	
		13,576		13,478		12,965
Hair powder		13,219		11,746		11,001
Armorial bearings		56,452		56,931		59,226
Game certificates	128,947		135,082		140,410	
Certificates for sale of game	1,105		1,394		1,454	
		130,052		136,476		141,864
Composition duties		24,538		23,050		22,005
Total assessed taxes		4,145,162		3,954,583		3,458,678
Total land tax		1,184,340		1,155,019		1,203,578
Total receipts		5,329,502		5,109,602		4,662,256

N. B. The assessed taxes in Ireland were repealed in 1825.

X. An Account of the Nett Produce of the Revenue of Stamps in Great Britain, and in Ireland, in 1835. — (*Annual Finance Book for* 1835, p. 46.)

	England.			Scotland.			Great Britain.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Deeds and other instruments not included under any of the following heads	1,324,320	9	10½	113,350	12	9	1,437,671	2	7½
Probates of wills and letters of administration	770,856	0	6	49,243	13	1	820,099	13	7
Bills of exchange	381,943	15	6½	84,356	17	2	466,300	12	8½
Bankers' notes	17,767	10	0	4,016	13	4	21,784	3	4
Composition for the duties on the bills and notes of the Bank of England, and of country bankers	80,717	14	0	-	-	-	80,717	14	0
Receipts	142,290	7	1	13,622	11	2	155,912	18	3
Marine insurances	197,114	14	6	18,351	8	3	215,796	2	9
Licenses and certificates	186,927	2	0	23,165	0	0	209,192	2	0
Newspapers and supplements, and papers for advertisements	385,709	3	7	38,404	4	5	424,113	8	0
Medicine	26,812	1	7½	243	16	9	27,055	18	4½
Legacies	1,101,400	12	9	72,438	15	2	1,173,839	7	11
Fire insurances	721,113	1	1	50,268	17	1	771,381	18	2
Gold and silver plate	71,966	0	6	3,604	15	1	75,570	15	7
Cards	12,425	5	0	-	-	-	12,425	5	0
Dice	1,699	0	0	-	-	-	1,699	0	0
Advertisements	77,853	2	9	10,587	17	0	88,440	19	9
Stage carriages	464,699	17	5	35,797	9	2½	498,499	6	7½
Post horses	241,165	8	4	-	-	-	241,165	8	4
Race horses	1,158	7	2	13	19	4	1,172	6	6
Hackney carriages	45,230	10	0	-	-	-	45,230	10	0
Penalties in law proceedings, and costs received	1,267	19	4	1,044	19	11	2,312	19	3
	6,253,858	3	0½	516,841	9	8½	6,770,679	12	8½
Ireland							454,727	11	5½

XI. Account of the Number of each Article charged to the Assessed Taxes and of the Amount of Duty accruing thereon in Great Britain, in 1832 and 1833.

	1832.			1833.		
	Number Assessed.	Amount of Duty.		Number Assessed.	Amount of Duty.	
		£.	s. d.		£.	s. d.
Window duty	380,135	1,275,918	11 3	379,991	1,274,187	18 3
House duty	442,090	1,191,472	1 4	442,482	1,198,000	12 3½
Servants	103,581	187,281	5 0	104,511	188,914	10 0
Other male persons	123,038	139,757	4 0	13,828	13,564	1 0
Four-wheeled carriages charged progressively	24,830	153,486	14 6	24,879	153,837	17 0
Additional bodies	21	65	3 0	20	63	0 0
Other four-wheeled carriages let to hire, &c.	20,373	96,090	15 0	21,949	103,166	10 0
Two-wheeled carriages	65,282	485,846	0 0	50,002	161,393	0 0
Additional bodies	12	18	18 0	14	22	1 0
Riding horses charged progressively	182,878	329,839	2 0	181,023	327,538	0 3
Other horses charged at modified rates	33,724	37,554	3 0	33,734	37,603	6 0
Other horses and mules	124,076	65,139	18 0	121,013	63,517	11 6
Dogs, exclusive of packs of hounds	337,951	176,579	4 0	333,335	173,888	0 0
Packs of hounds	77	2,772	0 0	85	3,060	0 0
Horse dealers	1,012	14,025	0 0	1,011	13,837	0 0
Hair powder	10,512	12,351	12 0	9,472	11,129	12 0
Armorial bearings	29,439	59,158	16 0	29,744	60,845	8 0
Game certificates	41,480	145,297	4 6	41,909	145,390	2 0
Totals		4,369,214	8 7		3,929,546	9 3½

XII. An Account of the Amount of Postage collected at the undermentioned Cities and Towns of the United Kingdom during the Years 1832, 1833, and 1834. — (*Papers published by Board of Trade*, vol. iv. p. 43.)

Places.	1832.			1833.			1834.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
London	632,696	17	8	642,871	0	2	660,411	11	4
Birmingham	28,685	1	11	28,812	4	0	29,258	1	7
Bristol	33,884	14	10	33,242	13	8	33,210	17	8
Coventry	4,446	7	6	4,357	8	10	4,421	2	7
Hull	14,607	14	4	14,853	19	9	14,859	15	1
Leeds	20,316	10	11	21,331	18	0	20,670	6	5
Leicester	6,464	14	10	6,439	9	5	6,463	6	6
Liverpool	70,011	17	7	74,080	11	1	77,333	1	4
Macclesfield	2,064	19	0	1,955	2	5	2,054	10	2
Manchester	53,510	8	4	56,287	16	11	60,621	12	6
Norwich	10,004	8	9	9,766	6	11	9,689	18	0
Nottingham	9,053	4	10	9,363	7	1	9,195	2	4
Potteries and Newcastle (Staffordshire)	6,714	10	8	6,858	7	8	6,991	11	9

Places.	1832.			1833.			1834.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Preston	5,200	6	5	5,190	8	11	5,146	8	6
Sheffield	11,027	9	0	11,582	16	2	11,759	16	4
Edinburgh	42,759	17	0	41,864	16	0	41,680	16	9
Aberdeen	8,668	6	8	8,479	12	1	8,596	15	0
Dundee	7,367	15	8	7,901	8	2	8,182	18	10
Glasgow	36,033	12	11	36,481	0	3	36,483	3	5
Dublin	80,611	19	40	69,096	9	8	70,344	1	1
Belfast	9,747	8	10	9,457	13	11	10,512	1	9
Cork	11,557	0	5	11,721	10	11	12,516	12	8
Limerick	6,390	15	7	6,357	6	1	6,967	2	0
Drogheda	1,932	19	5	1,935	14	3	2,040	15	5
Londonderry	3,479	12	0	3,510	19	10	3,654	2	8
Waterford	5,355	0	11	5,361	1	2	3,339	12	7

XIII. An Account showing the Amount of Property estimated and assessed, in each County of England and Wales, and in Scotland, under the different Schedules of the Property Tax Act for the Year 1814–15. – (*Furnished by Mr. Wood.*)

Counties.	Schedule A. (assessed to the Owner.) Property from Lands.	Property from Houses.	Amount of Tithes.	Profits from Manors.	Amount of Fines.	Profits of Quarries.	Profits of Mines.	Profits of Iron Works, &c.	General Profits chargeable under Schedule A.	Total.	Schedule B. assessed to the Occupier.	Schedule C. Dividends of Public Annuities and other Securities.	Schedule D. Profits of Trade, &c.	Schedule E. Public Office and Employments.
	L.	*L.*	*L.*	*L.*	*L.*	*L.*	*L.*	*L.*	*L.*	*L.*	*L.*		*L.*	*L.*
Bedford	316,595	32,738	15,574	74	-	-	-	127	59	365,167	307,840		97,848	1,481
Berks	502,996	140,211	67,511	209	5,812	-	-	4,506	285	720,630	503,557		299,992	5,218
Bucks	548,650	83,216	27,754	810	3,349	-	-	219	-	664,478	548,630		223,256	2,038
Cambridge	541,525	68,812	46,683	4,457	40,755	-	-	-	738	702,750	541,300		234,251	5,110
Chester	805,141	216,395	53,876	494	4,023	699	15,085	19,221	50	1,114,984	806,758		287,152	4,207
Cornwall	629,259	122,007	77,250	446	2,793	2,685	78,575	9,423	1,823	924,061	630,047		253,959	3,182
Cumberland	561,468	94,144	15,101	1,758	81	3,028	60,102	1,421	336	737,439	559,731		179,883	3,287
Derby	707,250	87,563	20,775	62	-	1,164	26,217	39,915	72	883,018	716,496		209,988	2,908
Devon	1,380,812	388,375	135,591	678	178	5,232	22,665	10,225	220	1,921,978	1,351,091		697,359	9,390
Dorset	564,577	89,220	67,005	671	896	237	-	1,670	-	724,004	566,013		241,887	4,003
Durham	545,411	126,991	31,771	3	24,243	1,418	68,945	6,236	19	805,217	551,988		219,217	4,634
Essex	1,109,829	268,719	183,871	10,720	54	25	-	7,535	623	1,581,176	1,112,592		600,725	9,021
Gloucester	971,110	276,635	57,530	446	1,124	559	5,916	5,587	480	2,319,687	971,815		356,704	2,575
Hereford	524,781	48,098	57,292	-	-	-	-	-	-	630,171	530,205		62,039	3,114
Hertford	397,539	128,192	50,183	3,641	-	58	-	3,792	-	583,705	397,539		262,471	4,319
Huntingdon	277,463	32,909	10,275	1,638	-	-	-	2,795	906	325,984	277,735		108,401	4,156
Kent	961,568	546,502	166,110	15	9,802	-	-	5,899	-	1,690,024	959,568		1,622,458	21,563
Lancaster	1,465,183	1,488,655	58,750	1,655	200	6,396	51,899	68,167	22	3,138,857	1,442,468		2,283,832	39,265
Leicester	807,558	125,689	15,772	82	-	1,113	2,070	43	3	952,330	810,491		319,608	5,828
Lincoln	1,865,086	156,603	61,028	2,467	-	119	-	6,452	-	2,091,755	1,858,084		374,381	6,165
London	-	1,023,650	19,297	-	-	-	-	-	-	1,042,947	-		7,857,403	1,111,712
Middlesex	515,038	2,775,264	19,045	3,444	-	-	-	4,715	-	3,317,506	396,330		4,063,707	55,468
Monmouth	231,113	43,982	17,440	3,726	120	-	4,260	2,433	-	303,074	231,113		111,451	437
Norfolk	1,102,352	229,634	164,466	9,991	4,335	-	-	78	528	1,511,884	1,087,481		522,967	16,351
Northampton	846,172	81,350	19,215	155	219	444	-	196	-	947,781	850,383		184,835	1,431
Northumberland	999,951	175,681	71,396	28	7,551	2,313	94,187	17,708	-	1,368,795	956,315		441,521	5,865
Nottingham	604,220	122,237	16,301	-	-	-	3,754	355	-	746,867	587,964		314,159	1,840
Oxford	589,594	112,673	39,173	3	48,945	-	-	121	573	791,082	589,594		309,480	4,734
Rutland	123,296	8,085	5,663	-	-	30	-	1,140	-	138,214	123,296		30,927	800
Salop	823,845	140,664	89,159	4,510	166	425	14,224	11,230	752	1,084,975	824,226		279,182	4,760
Somerset	1,491,734	675,343	101,458	515	8,064	652	17,302	1,281	853	2,297,142	1,479,216		1,235,295	14,192
Southampton	707,127	367,596	139,873	1,221	9,692	-	169	9,715	1,170	1,236,563	706,550		918,872	10,716
Stafford	862,973	246,195	43,589	433	-	539	37,272	6,434	740	1,198,475	862,646		517,287	10,833
Suffolk	826,228	171,551	137,440	7,905	1,001	148	-	5,103	739	1,148,115	823,802		444,074	11,679
Surrey	437,958	1,045,736	54,339	3,464	8,212	335	-	6,050	123	1,576,217	439,322		1,583,080	17,804
Sussex	641,736	168,978	100,946	2,539	1,606	180	4	4,360	66	920,215	628,690		366,465	4,611
Warwick	838,993	309,303	28,115	204	-	-	4,155	89,079	-	1,269,879	835,722		669,998	13,089
Westminster	2,631	1,283,453	-	-	19,713	-	-	-	-	1,305,797	2,631		2,765,942	46,312
Westmoreland	260,945	28,639	6,213	565	10	424	2,047	353	132	299,328	263,853		51,892	1,172
Wilts	964,611	146,037	90,971	40	-	110	-	812	3,757	1,206,338	965,079		380,482	6,981
Worcester	609,746	155,663	47,019	23	97	174	296	6,041	-	819,059	609,734		274,458	1,137
York	3,563,980	892,859	128,012	1,790	3,269	8,490	42,476	186,873	3,206	4,760,985	3,555,281		1,717,155	24,720
Anglesea	76,105	4,058	14,439	-	-	-	-	-	-	94,602	76,105		5,998	-
Brecon	135,191	14,388	8,330	-	-	-	2,232	2,040	-	162,181	111,455		29,162	490
Cardigan	126,399	6,071	13,463	-	-	-	-	-	-	145,933	124,939		14,412	282
Carmarthen	210,714	19,851	14,924	-	-	-	5,655	886	-	252,030	240,714		30,320	5,361
Carnarvon	105,852	10,737	14,244	-	-	300	80	-	-	131,213	105,852		20,642	220
Denbigh	224,678	41,682	31,800	-	-	10,836	3,769	388	-	312,553	222,608		21,169	245
Flint	139,753	5,782	9,100	-	-	150	20,918	-	-	175,673	133,730		11,666	795
Glamorgan	229,013	70,103	17,021	921	-	697	26,925	26,254	-	371,254	229,384		103,388	3,149
Merioneth	96,313	8,600	7,296	-	-	-	-	-	-	112,239	96,343		7,322	68
Montgomery	181,881	14,789	15,550	-	-	8	-	-	-	212,208	173,576		18,749	794
Pembroke	181,057	20,096	15,395	38	-	603	3,102	-	-	220,291	181,057		43,102	1,531
Radnor	90,652	1,966	10,960	-	-	-	-	-	-	103,578	90,524		3,714	70
England and Wales	34,330,462	14,895,130	2,732,690	71,671	206,730	49,501	616,201	574,728	18,255	53,495,368	34,028,648	30,048,619	34,287,685	1,516,143
Scotland	5,075,242	1,364,270	209	-	9,815	20,876	62,584	62,960	46,999	6,642,955	4,367,489	-	2,771,303	511,703
Great Britain	39,405,704	16,259,400	2,732,899	71,671	216,545	70,377	678,785	637,688	65,254	60,138,323	38,396,137	30,048,619	37,058,988	2,027,846
Public Offices	-	-	-	-	-	-	-	-	-	-	-		-	9,243,122

L. 30,048,619

XIV. Table exhibiting the Aggregate Amount of Property assessed in Great Britain under each Schedule of the Property Tax Act in 1814–15, with the respective Gross and Nett Assessments on the same.

Schedules.	Property assessed.	Gross Assessment.	Nett Assessment.
	£.	£.	£.
A.	60,138,323	5,923,486	5,923,189
B.	27,705,230*	2,731,451	2,176,258
C.	30,048,619	2,385,505	2,385,505
D.	37,058,988	3,831,088	3,146,332
E.	11,270,968	1,174,456	1,167,678
Totals	166,222,128	16,548,985	15,298,952

N. B. The returns of the annual value of real property, and of trades and professions, in the statistical notices of the different English counties given in this work (Vol. I. pp. 172—232.), do not exactly agree with those in Table xiii.; but the differences are quite inconsiderable. They were taken from the *Parliamentary Paper*, No. 337. Session 1831.

XV. A Return, showing the Amount of Capital on which the several Rates of Legacy Duty have been paid in Great Britain in the Years 1834 and 1835; distinguishing the Amount of each Rate paid in each Year, and the Total Amount of each Rate paid in these Years. — (*Parl. Paper*, No. 253. Sess. 1836.)

Year, and Rate of Duty.	Capital.	Year, and Rate of Duty.	Capital.	Totals of the Capital paid upon at each Rate for the Years 1834 and 1835.
1834.	£. s. d.	1835.	£. s. d.	£. s. d.
At 1 per cent.	22,109,303 6 8	At 1 per cent.	22,085,931 13 4	At 1 per cent. 44,195,235 0 0
— 2½ —	160,338 13 4	— 2½ —	206,593 6 8	— 2½ — 366,932 0 0
— 3 —	12,460,973 14 11	— 3 —	11,931,662 7 2	— 3 — 24,332,636 2 1
— 4 —	36,792 1 8	— 4 —	16,549 15 10	— 4 — 53,341 17 6
— 5 —	1,538,875 3 4	— 5 —	1,642,198 1 8	— 5 — 3,201,073 5 0
— 6 —	300,872 14 1	— 6 —	300,998 1 1	— 6 — 601,870 15 2
— 8 —	91,538 3 9	— 8 —	94,844 12 8	— 8 — 186,383 2 5
— 10 —	4,915,934 0 10	— 10 —	4,813,382 17 6	— 10 — 9,729,316 18 4
	41,574,628 4 7		41,092,660 15 11	

XVI. A Return, showing the Amount of Capital on which the several Rates of Legacy Duty have been paid in Ireland, in the Years 1834 and 1835; distinguishing the Amount of each Rate paid in each Year, and the Total Amount of each Rate paid in these Two Years.

Rate of Duty.	1834.		1835.	
	Amount of Capital paid upon at each Rate.	Amount of Legacy Duty received at each Rate.	Amount of Capital paid upon at each Rate.	Amnt. of Legacy Duty received at each Rate.
£. s.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
At 0 10 per cent.	1,213,471 0 0	7,035 2 4	1,552,892 0 0	8,584 12 6
— 1 5 —	606,059 0 0	8,582 7 6	597,406 0 0	8,917 6 3
— 2 0 —	83,912 0 0	1,976 0 0	68,391 0 0	1,470 0 0
— 2 10 —	81,983 0 0	2,247 10 0	4,382 0 0	147 10 0
— 5 0 —	163,792 0 0	9,413 5 0	143,377 0 0	8,143 10 0

SECT. II. — *Expenditure.*

THE public expenditure is made up, as any one may readily imagine, of a vast variety of items. In most countries with a maritime frontier, the cost of the army and navy is the most important item, and it, no doubt, occupies a very prominent place in the British budgets. But the most important article by far in our expenditure is the interest of the National Debt, or of the various sums borrowed from and due to the public creditor. The expense of the civil govern-

* This is the same given under schedule B, deducting, as was ordered by the act, ¼ in England, and ½ in Scotland, to get the nett profits of the occupiers. See Vol. I. p. 531.

ment of the country is not so great, perhaps, as might have been expected.

An Account of the Public Expenditure of the United Kingdom in 1832, 1833, and 1834.—(*Parl. Paper*, No. 302. Sess. 1835.)

Heads of Expenditure.	1832.		1833.		1834.	
Revenue.—Charges of Collection.	*L.*	*L.*	*L.*	*L.*	*L.*	*L.*
Civil { Customs	659,250	- -	672,938	- -	631,436	
Departments { Excise	951,586	- -	897,396	- -	902,750	
		1,610,836		1,570,334		1,534,186
Preventive service, land guard, revenue police cruizers, and harbour vessels	- -	572,713	- -	578,991	- -	579,679
		2,183,549		2,149,325		2,113,865
Stamps	- -	182,356	- -	172,213	- -	166,943
Assessed and land taxes	- -	219,212	- -	219,783	- -	213,620
Other ordinary revenues	- -	43,343	- -	46,659	- -	51,683
Superannuation and other allowances	- -	407,223	- -	399,589	- -	401,561
Total revenue	- -	3,035,683	- -	2,987,569	- -	2,947,972
Public Debt.						
Interest of permanent debt	24,060,256	- -	23,994,613	- -	23,890,222	
Terminable annuities	3,330,620	- -	3,472,689	- -	3,653,923	
Management	263,260	- -	263,637	- -	259,588	
	27,654,136	- -	27,730,939	- -	27,803,733	
Interest on exchequer bills	659,165	- -	779,769	- -	691,294	
Total debt		28,313,301		28,510,708		28,494,827
Civil Government.—Civil List. Privy Purse.						
Salaries of the household; tradesmen's bills	411,800	- -	411,800	- -	411,800	-
The allowances to the junior branches of the royal family, and to H. R. H. Leopold, Prince of Coburg	220,000	- -	220,000	- -	220,000	
The Lord Lieutenant of Ireland's establishment	35,550	- -	39,927	- -	40,854	
The salaries and expenses of the Houses of Parliament (including printing)	151,904	- -	135,587	- -	165,623	
Civil departments (exclusive of those in army, navy, and ordnance estimates), including superannuation allowances	354,442	- -	344,160	- -	354,286	
Other annuities and pensions on the consolidated fund, and on the gross revenue	330,849	- -	312,052	- -	303,558	
Pensions, civil list	75,000	- -	75,000	- -	75,000	
Total civil government		1,579,545		1,538,526		1,571,121
Justice.						
Courts of justice	371,586	- -	433,147	- -	400,244	
Police and criminal prosecutions	239,118	- -	189,604	- -	254,098	
Correction	401,031	- -	544,219	- -	168,085	
Total justice		1,007,735		1,160,970		822,427
Diplomatic.—Salaries and Retired Allowances.						
Foreign ministers	134,212	- -	214,078	- -	181,448	
Ditto consuls	121,038	- -	93,437	- -	72,626	
Disbursements, outfits, &c.	39,494	- -	47,332	- -	30,831	
Total diplomatic		294,744		354,847		284,907
Forces.						
Army { Effective { Number of men	88,050	- -	88,799	- -	86,172	
Army { Effective { Charge	4,610,518	- -	4,472,733	- -	4,080,454	
Army { Non-effective { Number of men	90,371	- -	81,889	- -	90,672	
Army { Non-effective { Charge	2,519,356	- -	2,117,329	- -	2,413,471	
Total army	7,120,874	- -	6,590,062	- -	6,493,925	
Navy { Effective { Number of men	27,853	- -	27,701	- -	28,418	
Navy { Effective { Charge	3,280,212	- -	2,742,667	- -	2,928,414	
Navy { Non-effective { Number of men	29,141	- -	28,121	- -	27,685	
Navy { Non-effective { Charge	1,602,623	- -	1,617,568	- -	1,565,495	
Total navy	4,882,835	- -	4,360,235	- -	4,503,909	
Ordnance { Effective { Number of men	8,553	- -	8,465	- -	8,348	
Ordnance { Effective { Charge	1,440,810	- -	968,212	- -	899,725	
Ordnance { Non-effective { Number of men	12,821	- -	12,458	- -	2,441*	
Ordnance { Non-effective { Charge	351,477	- -	346,564	- -	168,498	
Total ordnance	1,792,317	- -	1,314,806	- -	1,068,223	
Total forces		13,805,026		12,265,103		12,066,057
Bounties, &c. for promoting fisheries, linen manufactures, &c.	- -	79,530	- -	12,671	- -	13,345
Public works	- -	368,630	- -	266,465	- -	340,596
Payments out of the revenue of crown lands for improvements and various public services	- -	297,857	- -	345,710	- -	274,152
Post office charges of collection and other payments	- -	707,290	- -	661,853	- -	702,692
Quarantine and warehousing establishments	- -	142,397	- -	112,025	- -	110,059
Miscellaneous services, not classed under the foregoing heads	- -	1,276,583	- -	938,566	- -	1,[illegible]959
Total expenditure	- -	50,908,321	- -	49,166,513	- -	49,223,114
Surplus	- -	721,385	- -	1,440,152	- -	1,410,131
		51,629,706	- -	50,606,465	- -	50,633,545
Memorandum.—The amount of terminable annuities on 5th January was	- -	(3,438,104)	- -	(3,599,614)	- -	(4,034,809)
In corresponding perpetuities, as estimated by Mr. Finlaison	- -	(1,823,251)	- -	(1,821,728)	- -	(1,958,730)
Difference	- -	(1,614,853)	- -	(1,777,886)	- -	(2,076,079

* 10,000 pensioners of the Ordnance transferred to Chelsea.

Return of the Establishments of the Public Departments and Offices in Great Britain and Ireland in 1815 and 1835 respectively; showing the Reductions or Additions which have been made in each Office, and the total Amount of Reductions since 1815. — (*Parl. Paper*, No. 609. Sess. 1836.)

Departments.	Establishment. 1815. No. of Persons.	Establishment. 1815. Amount of Salaries.	Establishment. 1835. No. of Persons.	Establishment. 1835. Amount of Salaries.	Reductions. No. of Persons.	Reductions. Amount of Salaries.	Additions. No. of Persons.	Additions. Amount of Salaries.
GREAT BRITAIN.		£.		£.		£.		£.
Treasury, including Commissariat and Solicitor	155	85,767	92	56,346	63	27,421		
Exchequer Offices	90	73,528	14	7,905	56	58,994		
Paymaster of Civil Services	-	-	20	7,529				
Privy Council Office	21	12,830	18	9,958	3	2,872		
— for Trade	20	5,423	29	11,331	-	-	9	5,908
Secretary of State, Home Department	31	22,177	30	19,678	-	2,499		
— Foreign	33	23,337	39	21,584	1	-		
— Colonial	25	19,985	31	20,487	-	1,753	6	502
India Board	33	22,966	38	21,500	-	-	6	
Privy Seal Office	1	3,000	1	2,000	-	1,666	5	
Alien Office	19	3,710	7	1,161	12	1,000		
Registrar of Colonial Slaves Office	-	-	4	1,210	-	2,549		
State Paper Office	6	1,083	6	1,573	-	-	4	1,210
Commander-in-Chief's Office	29	8,073	21	7,167	8	911	-	- 490
Adjutant General's Office	29	3,968	22	3,870	7	98		
Quartermaster General's Office	21	3,024	19	2,210	2	814		
War Office, including Office for Military Boards	215	61,544	84	32,042	131	29,502		
Judge Advocate General's Office	8	4,630	7	3,460	1	1,170		
Army Medical Board Office	14	6,372	5	2,850	9	3,522		
Chaplain General's Office	3	963	2	276	1	687		
Army Pay Office	81	22,295	51	17,614	30	4,681		
Ordnance Department	1,907	281,302	996	159,128	911	122,174		
Chelsea Hospital, including Secretary's, Agent's, and Treasurer's Offices	91	14,337	157	23,999	-	-	66	9,662
Royal Military College	144	20,565	80	-	64	20,565		
Royal Military Asylum	78	5,581	67	5,699	11	-	-	- 118
Admiralty and Naval Departments	2,146	531,460	821	227,971	1,325	303,489	1,125	
Customs Department, including Coast Guard	10,477	971,162	11,602	940,762	-	30,400		
Excise Department	7,926	874,757	6,072	742,456	1,854	132,301		
Stamp and Taxes ditto	1,053	210,276	660	106,347	403	103,929		
Post Office	1,456	115,974	1,774	124,439	-	-	318	8,465
Mint Office	28	10,303	30	10,110	-	203	2	
Audit Office, and other Offices transferred to that Department	282	93,128	130	39,050	152	54,078		
National Debt Office	8	2,978	31	8,717	-	-	23	5,739
Exchequer Bill Office	13	3,800	11	3,610	2	190		
Woods, Forests, Land Revenue, Public Works Office	79	18,594	60	18,415	19	149		
Stationery Office	45	5,779	34	5,070	11	709		
Alienation Office	8	760	7	800	1	-	-	- 40
Lottery Office	93	10,382	-	-	93	10,382		
Exchequer and other Departments in Scotland	325	123,261	296	94,782	29	28,479		
IRELAND.					53	6,066		
Chief Secretary's Office	71	20,602	38	14,536				
Chief Secretary's Office in London	12	2,770	8	2,410	4	360		
Privy Council Office	7	2,575	7	2,575				
Vice Treasurer's Office, late Irish Treasury, &c.	57	28,769	13	4,964	44	23,805		
Teller's Office, Exchequer	6	2,026	5	1,680	1	346		
Privy Seal Office	2	1,384	2	100	-	1,284		
Office of Public Works	62	10,328	19	5,096	43	5,232		
Office of Lieutenant-General Commanding	6	2,014	6	1,066	-	948		
Army Medical Office	7	1,934	3	1,044	4	890		
Quartermaster General's Office	8	1,122	6	964	2	458		
Deputy Judge Advocate General's Office	2	969	1	597	1	372		
Provost Marshal General's Office	5	223	1	168	2	55		
Adjutant General's Office	16	1,192	9	1,018	7	174		
Commissariat Department	40	7,449	12	2,248	28	5,201		
Royal Hospital, Kilmainham	62	4,516	54	2,136	8	1,380		
Board of Charitable Donations	1	138	1	184	-	-	-	- 46
Board of Education	-	-	25	4,756	-	-	25	4,756
	27,365	3,763,100	23,578	2,786,278	5,376	1,013,758	1,589	36,936
Abate Additions					1,589	36,936		
Total Reduction as compared with 1815					3,787	976,822		

In 1815 some of these offices were paid partly by fees, for which fixed salaries have since been substituted: wherever the amount of fees can be ascertained, they are included under the head of salaries; in some cases the amount cannot be stated, and the reductions in those instances are really greater than they appear in this statement. — (*Official note.*)

SECT. III. *Local Taxation and Expenditure.*

EXCLUSIVE of the taxes imposed for public purposes, a large amount of revenue is collected in Great Britain and Ireland for objects of local expenditure. This is principally effected by means of county rates, of which the poor rates form, in England and Wales, by far the most important item; they also include rates for the maintenance of goals and houses of correction, the prosecution of criminals, the repair of roads, bridges, &c. — In towns there are rates for defraying the cost of police, and of lighting, cleaning, &c. These different rates amount in the aggregate to a very large sum.

It has been the uniform intention of the legislature, as evinced by the different acts on this subject from the 22 Henry VIII. cap. 5., down to the 55 Geo. III. cap. 51., that the county rates should fall equally on all sorts of property, whether real or personal. But the practical difficulties in the way of taxing stock in trade, profits, or monied property, having been found to be quite insuperable, the rates in question have been always, or almost always, defrayed by assessments on land and buildings. The principle on which these have been assessed has varied in different parts of the country; and in some counties the assessments to the county rate have been continued on the same footing for a very long series of years, notwithstanding the great changes that have taken place in the interim.* In consequence, very striking inequalities in the amount of the assessment imposed on the different species of real property have grown up in many places, and have occasioned many well-founded complaints. In Lancashire, and the West Riding of Yorkshire, where the inequalities in question were very conspicuous, new valuations have been recently effected, by which they will be in a great measure obviated; and notwithstanding the various obstacles in the way of such new valuations, there can be little doubt that they will be gradually effected in most other counties.

I. Summary of the Expenditure of County Rates, in England and Wales, for 1792 and 1832, or for such other Year as could be obtained nearest to each Period under the subjoined Heads, with the Increase or Decrease of each. (*Lords' Report of* 1835 *on County Rates*, p. 275.)

Heads of Charge.	Expenditure.		Gross Increase.	Gross Decrease.	Nett Increase.
	1792, or other Year.	1832, or other Year.			
	L. *s.* *d.*	*L.* *s.* *d.*	*L.* *s.* *d.*	*L.* *s.* *d.*	*L.* *s.* *d.*
Bridges	42,237 0 0	74,501 0 0	46,503 0 0	14,239 0 0	32,264 0 0
Gaols, houses of correction, &c.	92,319 0 0	177,415 0 0	120,047 0 0	35,121 0 0	84,926 0 0
Prisoners, maintenance of, &c.	45,785 0 0	127,297 0 0	91,325 0 0	9,813 0 0	81,512 0 0
Vagrants	16,807 0 0	28,723 0 0	15,435 0 0	3,519 0 0	11,916 0 0
Prosecutions	34,218 0 0	157,119 0 0	123,374 0 0	473 0 0	122,901 0 0
Lieutenancy and militia	16,376 0 0	2,116 0 0	923 0 0	15,783 0 0	
Constables	659 0 0	26,688 0 0	26,037 0 0	8 0 0	26,029 0 0
Professional	8,990 0 0	31,103 0 0	23,129 0 0	1,016 0 0	22,113 0 0
Coroners	8,153 0 0	15,254 0 0	7,535 0 0	434 0 0	7,101 0 0
Salaries	16,315 0 0	51,401 0 0	38,008 0 0	2,922 0 0	35,086 0 0
Incidental	17,456 0 0	32,931 0 0	24,987 0 0	9,512 0 0	15,475 0 0
Miscellaneous, printing, &c.	15,890 15 7¼	59,061 14 10½	48,692 0 9¾	5,519 1 6¾	43,172 19 3
Totals	315,805 15 7½	783,441 14 10½	565,995 0 9¾	98,359 1 6¾	482,495 19 3

Table II. see next page.

Scotland. — No recent account has been prepared of the amount of county rates in Scotland; but they are but trifling compared with those levied in England.

* See *Lords' Report of* 1835 *on County Rates*, p. 321.

II. Account showing the Amount of Monies levied by Assessment for Poor's Rate and County Rate in each County in England and Wales, in the Year ending 25th of March, 1833, distinguishing the Amount levied on Land, Dwelling Houses, Mills and Factories, and Manerial Profits, &c. (*Papers published by Board of Trade*, vol. iii. p. 34.)

Counties.	Money levied on				Total Money levied by Assessment, 1832-3.
	Land.	Dwelling Houses.	Mills, Factories, &c.	Manerial Profits, Navigation, &c.	
	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.
ENGLAND.					
Bedford	81,101 7 0	9,918 0 0	345 16 0	396 5 0	91,761 8 0
Berks	101,749 13 0	29,861 4 0	3,298 11 0	1,490 12 0	136,400 0 0
Buckingham	136,225 18 0	20,429 9 0	2,302 6 0	828 18 0	159,786 11 0
Cambridge	95,397 5 0	22,760 3 0	1,233 5 0	426 0 0	119,817 1 0
Chester	99,808 18 0	29,416 13 0	7,837 18 0	4,429 10 0	141,493 19 0
Cornwall	91,906 5 0	18,995 0 0	2,582 4 0	7,951 19 0	121,435 8 0
Cumberland	43,405 14 0	12,080 6 0	1,182 10 0	1,575 14 0	58,244 4 0
Derby	81,846 0 0	20,540 6 0	3,358 3 0	2,529 17 0	108,074 6 0
Devon	190,707 11 0	60,408 17 0	5,404 2 0	3,800 0 0	260,320 10 0
Dorset	85,991 0 0	18,961 10 0	1,520 10 0	2,022 14 0	108,495 14 0
Durham	64,467 10 0	22,950 5 0	7,508 10 0	9,781 10 0	104,707 15 0
Essex	251,571 18 0	59,157 8 0	6,859 2 0	1,373 16 0	318,961 18 0
Gloucester	130,525 11 0	66,651 17 0	8,522 11 0	2,036 14 0	207,741 13 0
Hereford	62,572 6 0	7,068 11 0	434 9 0	212 10 0	70,287 16 0
Hertford	79,473 19 0	26,124 12 0	5,215 5 0	1,121 3 0	111,934 19 0
Huntingdon	38,399 7 0	7,082 2 0	1,105 3 0	147 3 0	46,733 15 0
Kent	275,810 11 0	140,515 8 0	12,510 17 0	4,440 0 0	433,274 16 0
Lancaster	167,681 19 0	169,691 17 0	75,547 11 0	24,508 4 0	437,429 11 0
Leicester	105,330 3 0	28,552 7 0	783 2 0	638 14 0	135,305 6 0
Lincoln	188,927 8 0	30,760 18 0	3,355 9 0	1,961 16 0	225,005 11 0
Middlesex	69,833 15 0	823,248 15 0	57,352 2 0	18,290 9 0	968,724 19 0
Monmouth	27,806 4 0	6,998 3 0	1,030 2 0	1,989 15 0	37,824 4 0
Norfolk	281,879 0 0	63,041 13 0	8,842 19 0	4,242 10 0	358,006 2 0
Northampton	150,467 3 0	15,181 10 0	1,756 15 0	2,209 2 0	169,614 8 0
Northumberland	70,591 17 0	21,765 17 0	12,411 1 0	4,649 0 0	99,747 15 0
Nottingham	75,634 14 0	34,494 0 0	4,782 13 9	1,469 8 0	116,380 15 9
Oxford	128,575 9 0	26,964 0 0	1,462 5 0	1,848 9 0	158,850 3 0
Rutland	10,985 5 0	938 15 0	127 3 0	139 15 0	12,190 16 0
Salop	86,035 13 0	14,202 8 0	1,900 11 0	4,146 17 0	106,285 9 0
Somerset	169,334 8 0	44,936 7 0	2,868 19 0	6,333 4 0	223,492 18 0
Southampton	180,534 4 0	58,680 3 0	4,112 7 0	4,849 9 0	248,176 3 0
Stafford	106,439 7 0	48,804 9 0	11,730 14 0	14,607 14 0	175,581 4 0
Suffolk	247,543 13 0	45,522 13 0	5,868 11 0	1,082 2 0	300,016 19 0
Surrey	103,447 8 0	240,389 5 0	27,187 1 0	2,127 17 0	378,151 11 0
Sussex	239,843 3 0	67,095 5 0	4,593 18 0	8,220 10 0	319,752 16 0
Warwick	107,142 18 0	87,110 2 0	2,720 9 0	5,776 18 0	202,750 7 0
Westmoreland	23,312 17 0	5,095 17 0	692 0 0	169 3 0	29,269 17 0
Wilts	187,642 0 0	28,100 19 0	3,423 5 0	2,443 5 0	221,414 7 0
Worcester	76,075 16 0	26,243 12 0	5,083 4 0	3,418 0 0	110,820 12 0
York—East Riding	102,106 16 0	25,405 12 0	2,788 19 0	654 8 0	130,955 15 0
York—North Riding	90,418 10 0	10,527 10 0	11,246 13 0	714 3 0	102,906 16 0
York—West Riding	210,170 15 0	114,485 12 0	34,065 19 0	13,146 1 0	371,866 7 0
Totals of England	5,110,870 4 0	2,597,956 0 0	346,771 10 0	174,200 18 0	8,229,798 12 0
WALES.					
Anglesey	18,382 4 0	1,768 0 0	201 6 0	116 3 0	20,467 13 0
Brecon	20,785 0 0	1,902 0 0	488 1 0	434 18 0	23,609 19 0
Cardigan	21,454 19 0	1,619 10 0	84 18 0	53 4 0	23,242 11 0
Carmarthen	40,171 6 0	3,312 1 0	639 10 0	461 19 0	44,587 16 0
Carnarvon	21,596 17 0	3,620 17 0	154 14 0	347 19 0	25,720 7 0
Denbigh	39,162 15 0	4,553 4 0	367 19 0	583 6 0	44,668 4 0
Flint	25,250 1 0	2,116 0 0	944 15 0	823 5 0	29,191 9 0
Glamorgan	37,084 6 0	9,833 15 0	1,818 18 0	6,435 17 0	55,172 16 0
Merioneth	17,436 5 0	793 10 0	99 7 0	76 9 0	18,405 11 0
Montgomery	39,680 0 0	3,374 19 0	721 16 0	197 16 0	43,974 11 0
Pembroke	27,072 7 0	3,284 3 0	166 16 0	93 10 0	30,616 16 0
Radnor	15,943 3 0	1,053 12 0	23 0 0	45 17 0	17,045 12 0
Totals of Wales	324,020 5 0	37,301 11 0	5,708 0 0	9,673 5 0	376,702 17 0
Totals of England and Wales	5,434,890 7 0	2,635,257 11 0	352,479 10 0	183,874 1 0	8,606,501 9 0

Ireland.—Mr. Griffiths, the engineer, gave the following statement of the local taxation of Ireland in his evidence before the Lords' Committee of 1832, on tithe.

Subdivision of the Sums raised annually by County Presentments.

No.	Description.	Amount.
		L. s. d.
	Proportion expended in building and repairing bridges, gullets, walls, cutting hills and filling hollows, and other expenditures on roads, levied off counties at large	83,045 17 6½
	Proportion paid for county establishments, officers' salaries, county buildings not connected with roads, and sundry charges; also levied off the county at large	331,414 11 3½
	Proportion paid for police establishments, levied off the county at large	120,081 11 6
	Proportion repaid to the treasury, being instalments for government advances, levied off the county at large	32,738 14 9½
	Proportion of assessments expended in making and repairing roads, levied off the baronies	273,454 13 11½

(2d *Report*, p. 282.)

Sect. IV. *National Debt.*

The practice of borrowing money, in order to defray part of the war expenditure, was introduced into this country in the reign of William III., and has ever since been acted upon. How much soever opinions may differ as to the policy of borrowing or funding in ordinary times, it could not, at its introduction into Great Britain, be dispensed with. The Revolution involved us in a bloody and expensive contest with Louis XIV., then in the zenith of his power, who espoused the cause of the exiled family of Stuart. But, though great and imminent, the danger from without was inferior to that from within. A numerous and powerful party were favourable to the views of the Pretender; and the imposition of such an additional load of taxes as would have been required to defray the heavy cost of the contest we were obliged to wage for our liberties and religion, would have given a violent shock to industry, and afforded the Jacobites the means of traducing the new government, of fomenting popular discontent, and, most probably, of overturning the revolutionary establishment. Under such circumstances, the contraction of debt was not really a matter of choice, but of necessity. The error, if there has been any, consisted in continuing the system of loans after the new government was firmly established; and when either the whole or a larger portion of the war expenditure might have been defrayed by taxes raised within the year.

In the infancy of the funding system it was customary to borrow upon the security of some tax, or portion of a tax, set apart as a fund for discharging the principal and interest of the sum borrowed. This discharge was, however, very rarely effected. The public exigencies still continuing, the loans were, in most cases, either continued, or the taxes were again mortgaged for fresh ones. At length the practice of borrowing for a fixed period, or, as it is commonly termed, upon *terminable* annuities, was almost entirely abandoned, and most loans were made upon *interminable* annuities, or until such time as it might be convenient for government to pay off the principal.

In the beginning of the funding system, the term fund meant the taxes or funds appropriated to the discharge of the principal and interest of loans; those who held government securities, and sold them to others, selling, of course, a corresponding claim upon some fund. But after the debt began to grow large, and the practice of borrowing upon interminable annuities had been introduced, the meaning attached to the term fund was gradually changed; and instead of signifying the security upon which loans were advanced, it has, for a long time, signified the principal of the loans themselves.

Owing partly, perhaps, to the scarcity of disposable capital at the time, but far more to the supposed insecurity of the revolutionary establishment, the rate of interest paid by government in the early part of the funding system was comparatively high. But as the country became richer, and the confidence of the public in the stability of government was increased, the rate of interest was proportionally reduced.

During the reigns of William III. and Anne, the interest stipulated for loans was very various. But in the reign of George II. a different practice was adopted,

Instead of varying the interest upon the loan according to the state of the money market at the time, the rate of interest was generally fixed at *three* or *three and a half* per cent.; the necessary variation being made in the *principal funded*. Thus, suppose government were anxious to borrow, that they preferred borrowing in a 3 per cent stock, and that they could not negotiate a loan for less than 4½ per cent., they effected their object by giving the lender, in return for every 100*l.* advanced, 150*l.* of 3*l.* per cent. stock; that is, they bound the country to pay him or his assignees 4*l.* 10*s.* a year in all time to come, or otherwise to extinguish the debt by a payment of 150*l.* In consequence of the prevalence of this practice, the principal of the debt now existing amounts to nearly *two fifths* more than the sum actually advanced by the lenders.

This system of funding has been in the last degree injurious, though some advantages are either derivable, or supposed to be derivable from it. No doubt it renders the management of the debt, and its transfer, more simple and commodious than it would be did it consist of a number of funds bearing different rates of interest; and it is contended that the greater field for speculation afforded to the dealers in stocks bearing a low rate of interest, has enabled government to borrow, by funding additional capitals, for a considerably less payment on account of interest than would have been necessary had such increase of capital not been made.

In point of fact, however, these advantages are but inconsiderable, while the disadvantages inseparable from the practice of funding a large amount of stock at a low rate of interest are great and signal. During war, especially if any considerable portion of its expenditure be defrayed by means of loans, the rate of interest uniformly rises, and is usually much higher than during peace. If, therefore, loans were funded in stocks bearing a rate of interest equivalent to the market rate when they were contracted for, the charge on their account might be reduced soon after the return of peace, according to the fall in the rate of interest; whereas, when loans are funded in stocks bearing a low rate of interest, with a corresponding increase of capital, it becomes impossible to take advantage of the fall of interest at the return of peace, and the country is burthened with the war interest in all time to come! It is not easy to exaggerate the injury we have sustained by overlooking this plain principle. In 1815, to specify only one of many similar instances, government bargained for a loan of 27,000,000*l.*, it being stipulated that every subscriber of 100*l.* should be entitled to 174*l.* 3 per cent stock, and 10*l.* 4 per cent. stock, making the interest paid on the loan 5*l.* 12*s.* 4*d.* per cent. The great improvidence of this transaction is obvious. Had from 5*l.* 15*s.* to 6*l.* per cent. of interest been paid for the loan, it might have been obtained without funding any additional capital: and had that been done, we should have been able, within two or three years, in consequence of the fall of interest after the peace, to reduce the charge on account of the loan to 3 or 3½ per cent.; but, owing to the way in which the contract was made, we have not had, and will not have, any means of reducing the exorbitant charge on account of this loan, so long as the market rate of interest is above 3 per cent., except by paying 174*l.* for every 100*l.* originally received, exclusive of the 10*l.* of 4 per cent. stock! But this, as already stated, is only one instance out of many of the same sort. We believe, indeed, that we are within the mark when we affirm that, owing to this erroneous method of funding, the country is at present paying from 6,000,000*l.* to 7,000,000*l.* a year on account of the public debt more than it would have had to pay, had the same sums been borrowed and funded without any increase of capital.

We have said that an interest of from 5*l.* 15*s.* to 6*l.* per cent., instead of the stipulated interest of 5*l.* 12*s.* 4*d.* per cent., would have enabled the loan of 1815 to be funded without any increase of capital. Now this is not a hypothetical statement. In the year in question, 11,000,000*l.* of exchequer bills were funded in a 5 per cent stock, at the rate of 117*l.* stock for every 100*l.* exchequer bills. This was equivalent to an interest of 5*l.* 17*s.* per cent., being only 4*s.* 8*d.* more than the interest paid on the loan, though the subscribers to the latter had 84*l.* of artificial capital created for every 100*l.* advanced, and the holders of the bills only 17*l.* of artificial capital! But, in point of fact, the differences in the rates of interest, after allowing for certain circumstances connected with the loans, amounted to only 2*s.* 2*d.* per cent.! This shows how little the saving in the charge on account of

interest by funding increased capitals, deserves to be considered as at all detracting from the great public loss occasioned by indulging in so wasteful a practice.*

That this improvident system should have been so extensively acted on by our finance ministers during the American and French wars is the more surprising, seeing that experience had already demonstrated the advantages of funding limited capitals at a comparatively high rate of interest. Owing partly to the scarcity of capital, but much more to the supposed instability of the revolutionary establishment, the loans during the reigns of William III. and Anne were mostly contracted at a very high rate of interest. Luckily, however, this was not attempted to be disguised by assigning to the parties large amounts of stock bearing a low rate of interest. The stock created was the exact amount of the loans, the interest on it being increased according to the supposed insecurity of the government, the scarcity of floating capital, &c. Now mark the consequences of this. So early as 1716, Sir Robert Walpole, availing himself of the greater facility with which money was procured after the treaty of Utrecht, and of the greater stability of the government, was able, by offering to pay off the creditors, to reduce the charge on account of the debt from 1,598,602*l.* to 1,274,146*l.*, being a saving of 324,456*l.*, or about one fifth part of the entire charge. And in 1749, during the administration of Mr. Pelham, the interest was again reduced from 4 to 3 per cent., — a measure which produced a fresh saving of 565,000*l.* a year!

Happily the practice of funding in a 5 per cent. stock, was not entirely abandoned during the late war. In 1822 the total British and Irish 5 per cent. stock amounted to about 150,000,000*l.*; and, by offering to pay it off, a reduction of interest was then effected to the extent of about 1,200,000*l.* a year! And, since that period, further savings have been effected by the reduction of the interest on the 4 and 4½ per cent. stock. But, unfortunately, the far greatest proportion of debt created during the late war, and that with the American colonies, was funded in the 3 per cents.; and, as already stated, the charge on that portion has, in consequence, been hitherto, and will, most probably, continue to be, unsusceptible of diminution.

Payment of National Debt. — Sinking Fund. — The payment of the national debt can be effected only by applying to that purpose such surplus revenue as the treasury may have to dispose of. But it was contended by the founders of the sinking fund, established in 1716, and still more strongly by Dr. Price and Mr. Pitt, the founders of the sinking fund of 1786, that if a certain amount of revenue were applied to buy up stock, and the dividends on that stock were afterwards uniformly applied to the same object, the sinking fund would increase, at *compound interest*, so that the largest amount of debt might be defrayed almost without an effort. Dr. Price illustrated the operation of this principle by calculating the number of *globes of gold*, to which a penny laid out at compound interest at the birth of Jesus Christ would now amount to! But though a calculation of this sort be theoretically true, it is practically false and absurd. The truth is that no sinking fund, even though it consisted of a clear surplus revenue, ever really operates at compound interest. It is true that, by constantly applying the same amount of free revenue, and the dividends accruing on the purchases, to buy up stock, its reduction is effected in the *same way* as if the free surplus revenue were increasing, by an inherent energy of its own, at compound interest; but it is essential to know that, though the *modus operandi* be the same, the means are radically and totally different. The debt is reduced because a portion of the produce of the taxes is systematically applied to pay it off, and it can never be reduced by any other means. To make capital increase at compound interest, it must be employed in some sort of productive industry; and the profits, instead of being consumed as income, must be regularly added to the principal, to form a new capital. It is unnecessary to say that no such sinking fund has ever existed. Those that have been set on foot in this and other countries, have all been supported either by loans or by the produce of taxes, and have never paid off a single farthing of debt by their own agency.

It is clear, from this statement, that when there is no surplus revenue, there can be no sinking fund. Dr. Price, however, did not scruple to lay it down broadly, that

* For a further and full discussion of this subject, see the *Edinburgh Review*, No. 99, art. iii.

to suspend the sinking fund during war, though the expenditure might then greatly exceed the income, would be the greatest imaginable folly. * And inconceivable as it may now appear, all parties in parliament concurred in the soundness of this opinion, and approved the policy of keeping up the sinking fund machinery during the whole of last war! Hence, the loans for the service of the year had to be increased by the entire amount of the sums placed at the disposal of the sinking fund commissioners; so that for every shilling's worth of stock transferred to them by this futile proceeding, an equal amount of *new debt* had to be contracted, exclusive of the loss incurred through the expense of management, &c.

For upwards of twenty years this pitiful juggle was kept up; parliament and the nation believing, notwithstanding the most decisive experience to the contrary, that it was rapidly diminishing the public debt! Dr. Hamilton, of Aberdeen, has the merit of having dissipated this delusion, the grossest, certainly, that ever imposed on any people. He showed, in his work on the national debt, published in 1813, that the sinking fund, instead of diminishing, had really added to the debt; and he proved to demonstration, that the *excess of revenue above expenditure* is the only sinking fund by which any part of the national debt can ever be discharged. "The increase of revenue," he observes, "or the diminution of expense, are the only means by which the sinking fund can be enlarged, and its operations rendered more effectual; and all schemes for discharging the national debt, by sinking funds operating at compound interest, or in any other manner, unless in so far as they are founded upon this principle, are completely illusory." We subjoin an account illustrative of the progress of the funding and sinking fund systems during the war: —

Account of Loans contracted in each Year from 1793 to 1816, both inclusive; of the total Charge on account of these Loans; of the Portions of them paid to the Commissioners of the Sinking Fund; and of the Amount of the Dividends on the Stock purchased by said Commissioners. (From the *Parliamentary Paper*, No. 145. Sess. 1822.)

Years ending 1st February.	Amount of Loans contracted in each Year.	Total Annual Charge of Dividends and Annuities on such Loans.	Account of the Portions of the Loans paid to the Commissioners of Sinking Fund.	Amount of the Dividends on the Stock furnished by the Commissioners.
	L. *s.* *d.*	*L.* *s.* *d.*	*L.* *s.* *d.*	*L.* *s.* *d.*
1794	4,500,000 0 0	187,500 0 0	1,636,615 1 4	65,232 3 0
1795	12,907,451 2 2	599,117 18 11½	* 1,872,200 4 2	84,148 7 0
1796	42,090 646 3 2	2,132,368 17 10	2,143,595 16 1	97,573 13 0
1797	42,756,196 2 0	2,274,128 4 8½	2,639,724 9 5	131,720 2 0
1798	14,620,000 0 0	935,579 0 0	3,361,752 11 3	201,484 11 9½
1799	18,000,000 0 0	1,105,602 10 0	3,984,252 13 2	235,743 5 4½
1800	12,500,000 0 0	656,250 0 0	4,285,208 15 0	216,610 2 9½
1801	18,500,000 0 0	871,350 0 0	4,620,479 1 7	219,450 4 2½
1802	31,410,450 0 0	1,775,530 10 4½	5,117,723 2 2	249,293 12 4½
1803	23,000,000 0 0	910,541 5 0	5,685,512 6 6	246,256 12 7
1804	10,000,000 0 0	512,083 6 8	6,018,179 8 9	315,817 5 9½
1805	11,526,699 6 3	* 651,631 12 3½	6,521,394 7 2	314,710 15 2½
1806	20,000,000 0 0	1,032,000 0 0	7,181,482 3 3	367,021 18 4½
1807	18,000,000 0 0	896,400 0 0	7,585,588 10 3	334,212 2 0
1808	12,200,000 0 0	577,050 0 0	8,905,673 17 3	425,142 4 2½
1809	12,000,000 0 0	587,743 13 6	9,555,855 9 1	439,757 14 4½
1810	19,532,100 0 0	947,312 4 3	10,170,104 15 9	453,923 2 7
1811	16,311,000 0 0	765,955 7 6	10,813,016 15 9	481,142 16 4½
1812	24,000,000 0 0	1,191,735 11 6½	11,543,851 3 7	541,417 2 0
1813	27,874,325 0 0	1,436,271 11 0	12,439,631 19 5	633,253 5 2½
1814	58,763,100 0 0	3,230,599 18 4½	14,181,006 5 4	725,696 0 2½
1815	18,500,000 0 0	851,832 18 0	12,748,231 12 3	574,490 10 4½
1816	45,134,589 3 6	2,577,820 2 9½	11,902,051 2 8	608,402 18 9½
1817	3,000,000 0 0	90,000 0 0	11,491,670 2 6	555,536 13 7
Total Sums raised on account of Ireland in Britain	520,124,556 17 1	26,849,814 12 9¾	176,648,860 2 8	8,495,597 5 2¾
	64,750,000 0 0	3,324,549 11 8	11,873,489 16 10	572,635 7 5½
	584,874,556 17 1	30,174,364 4 5½	188,522,349 19 6	9,168,232 12 8
	185,522,349 19 6	9,168,232 12 8		
	396,352,067 17 7	21,006,131 11 9½	Amount of loans, and of the interest payable on	

them, raised in Great Britain, to defray war expenditure in the period from 1793 to 1816, both inclusive. There was added, on account of the above sum of 396,352,000*l.* of money borrowed, 569,380,000*l.* to the funded debt of the country, being an increase of fictitious capital of 173,028,000*l.*!

Had, therefore, the sinking fund machinery not been kept on foot during the war, instead of borrowing 585,000,000*l.*, it would not have been necessary to borrow more than about 396,000,000*l.*: and owing to the diminished amount of the loans, they would

* *Appeal to the Public on the Subject of the National Debt*, p. 17. ed. 1774.

have been obtained at a lower rate of interest. Hence the sinking fund has been a costly, as well as a most delusive, piece of quackery. The loss it entailed on the country during the war has been estimated, apparently on reasonable grounds, at above 600,000*l.*

At length, the folly of contracting debt, for no other purpose but to pay it off, became obvious to every one; and the nominal amount of the sinking fund began to be diminished after the close of the war. In 1819, it was attempted to form a real sinking fund of 5,000,000*l.*; that is to maintain a real surplus revenue of that extent. But as this could not always be done, after various modifications, an end was put to the entire system in 1829, the act 10 G. 4. c. 27. having enacted, that the sum applicable in future to the reduction of the national debt should be the surplus, if any, of the total revenue beyond the total expenditure of the kingdom.

Distribution of the Dividends, or Interest on the National Debt. — It appears from the subjoined account of the number of dividend warrants issued during the half-year ending the 5th of January 1833, that they amounted in all to about 280,000. The large number (87,176,) of holders of stock not producing above 5*l.* of half-yearly dividend, is principally, we believe, ascribable to the circumstance of the Bank of England and the London banks not allowing interest on deposits.

We may observe, by the way, that the number of persons having a direct interest in the funds is much greater than it would appear to be from this account. The dividends upon the funded property belonging to the Bank of England and other banks, to the Equitable and other insurance companies, &c. are paid upon single warrants, as if they were due to so many private individuals; whereas they are really paid to these individuals only because they act as factors or trustees for a vast number more. It is, consequently, quite absurd to pretend, as is sometimes done, that any interference with funded property would affect only 280,000 individuals out of a population of 25,000,000. Any attack upon the dividends would really be destructive, not merely of the interests of those to whom dividend warrants are issued, but of all who depend upon them: it would destroy our whole system of banking and insurance, and overspread the country with bankruptcy and ruin. Not only, therefore, is every proposal for an invasion of the property of the fundholders bottomed on injustice and robbery, but it would, were it acted upon, be little less ruinous to the community than to the peculiar class intended to be plundered.

Account of the Principal and Annual Charge of the Public Debt at different Periods since the Revolution. *

	Principal, Funded and Unfunded.	Interest and Management.
	L.	*L.*
Debt at the revolution, in 1689	664,263	39,855
Excess of debt contracted during the reign of William III. above debt paid off	15,730,439	1,271,087
Debt at the accession of Queen Anne, in 1702	16,394,702	1,310,942
Debt contracted during Queen Anne's reign	37,750,661	2,040,416
Debt at the accession of George I. in 1714	54,145,363	3,351,358
Debt paid off during the reign of George I., above debt contracted	2,053,125	1,133,807
Debt at the accession of George II., in 1727	52,092,238	2,217,551
Debt contracted from the accession of George II. till the peace of Paris in 1763, three years after the accession of George III.	86,773,192	2,634,500
Debt in 1763	138,865,430	4,852,051
Paid during peace, from 1763 to 1775	10,281,795	350,480
Debt at the commencement of the American war, in 1775	128,583,635	4,471,571
Debt contracted during the American war	121,267,993	4,980,201
Debt at the conclusion of the American war, in 1784	249,851,628	9,451,772
Paid during peace, from 1784 to 1793	10,501,380	243,277
Debt at the commencement of the French war, in 1793	239,350,148	9,208,495
Debt contracted during the French war	601,500,343	22,829,696
Total funded and unfunded debt on the 1st of February, 1817, when the English and Irish exchequers were consolidated	840,850,491	32,038,191
Debt cancelled from the 1st of February, 1817, to 5th of January, 1836	53,211,675	2,894,674
Debt, and charge thereon 5th of January, 1836	787,638,816	29,143,517

* This account has been made up partly from the table in Dr. Hamilton's work on the national debt, (3rd ed. p. 100.); partly from the *Parl. Paper*, No. 165. Sess. 1834; and partly from the *Annual Finance Book* for the year ending 5th of January, 1836 pages 14, 99, and 104.

An Account of the State of the Public Funded Debt of Great Britain and Ireland, and the Charge thereupon, at the 5th of January, 1836; including the Debt and Charge created by the Loan of 15,000,000*l.* raised in 1835; and also the Debt and Charge created on account of Barbadoes. — (*Finance Accounts for* 1836, p. 99, &c.)

DEBT.

	Capital of Unredeemed Debt. £ s. d.
GREAT BRITAIN.	
Debt due to the South Sea Company, at 3 per cent.	3,662,784 8 6½
Old South Sea annuities	3,497,870 2 7
New South Sea annuities	2,460,830 2 10
South Sea annuities, 1751	523,100 0 0
Debt due to the Bank of England	11,015,100 0 0
Bank annuities created in 1726	825,491 19 0
Consolidated annuities	356,768,258 4 6½
Reduced annuities	125,851,977 8 11
Total bearing interest at 3 per cent.	504,605,412 6 4½
Annuities at 3½ per cent, anno 1818	10,861,103 19 7
Reduced 3½ per cent. annuities	63,436,850 2 0
New 3½ per cent. annuities	146,557,900 19 8
4 per cent. annuities, created in 1826	438,240 13 4
New 5 per cent. annuities	
Great Britain	725,899,508 0 11½
IRELAND.	
Irish consolidated annuities, at 3 per cent.	2,570,402 6 3
Irish reduced annuities, do.	225,182 3 1
3½ per cent. debentures and stock	14,243,856 16 10
Reduced 3½ per cent. annuities	1,116,916 3 9
New 3½ per cent. annuities	11,856,570 7 3
Debt due to the Bank of Ireland, at 4 per cent.	1,615,384 12 4
New 5 per cent. annuities	6,661 1 0
Debt due to the Bank of Ireland, at 5 per cent.	1,015,384 12 4
Ireland	32,650,358 7 10
Total United Kingdom	758,549,866 8 9½
Exchequer bills outstanding, 5th Jan. 1836	29,088,950 0 0
Total funded and unfunded debt, 5th Jan. 1836	787,638,816 8 9½

CHARGE.

	In Great Britain. £ s. d.	In Ireland. £ s. d.	Total Annual Charge. £ s. d.
Due to the public creditor. — Annual interest on unredeemed capital	22,890,029 6 7	1,152,192 4 6½	
Long annuities, expire 1860	1,294,307 18 7	73 19 3	
Annuities per 4 Geo. 4. c. 22, do. 1867	585,740 0 0		
Annuities per 10 Geo. 3. c. 24, and 3 Will. 4. c. 14. expire at various periods	1,347,788 2 6		
Annuities to the trustees of the Waterloo Subscription Fund, per 59 Geo. 3. c. 34, expire 5th of July, 1836	9,000 0 0		
Payable at the National Debt Office. — Life annuities, per 48 Geo. 3. c. 142, and 10 Geo. 4, c. 24, and 3 Will. 4. c. 14	893,635 6 0		
Tontines and other Life annuities per various acts — English	20,356 4 8½		
Tontines and other Life annuities per various acts — Irish	34,230 8 7	6,823 7 3	
Interest of funded debt	27,075,087 6 11½	1,159,089 11 0½	
Interest on stock transferred to the Commissioners for the Reduction of the National Debt, towards the redemption of land tax, per 53 Geo. 3. c. 123	12,430 13 3¾		
Management	156,697 18 10½		
Annual charge on account of public funded debt	27,244,215 19 1½	1,159,089 11 0½	28,403,305 10 1⅝
Interest on Exchequer bills (1835)			740,211 1 10
Total annual charge of funded and unfunded debt, exclusive of 41,116*l.* 14*s.* 10*d.*, the annual charge on capitals and long annuities, standing in the names of the commissioners, on account of stock unclaimed 10 years or upwards, and of unclaimed dividends; and also an account of donations and bequests			29,143,516 11 11½

The unfunded debt on the 5th of January, 1817, amounted to 44,650,300*l.*, being 33,289,300 greater than its amount on the 5th of January, 1793; and this sum has, of course, to be deducted from the *total* debt contracted during the French war, to get the amount of the *funded* debt contracted during that contest.

The reduction of the principal of the public debt since 1817 has been effected partly by applying surplus revenue to its discharge, and partly by the conversion of a portion of the interminable into terminable annuities. The reduction of the annual charge has been partly, of course, brought about by paying off the principal; but more by the reduction of the interest paid on the 5 and 4 per cent. stock existing in 1817, and by that paid on the unfunded debt, or on exchequer bills. The total saving on the first head, between 1822, when the first, and 1834 when the last, reduction was made, has been 2,355,845*l.* The debt given above for the 5th of January, 1836, includes the loan of 15,000,000*l.* negotiated in 1835, on account of the West India slave proprietors.

An Account of the Total Number of Persons to whom a Half Year's Dividend was due at the last Half-yearly Payment thereof, on each Description of Public Stock, and on each Description of Terminable Annuities; distinguishing the Number respectively of those whose Dividends for the Half Year did not exceed 5*l.*, 10*l.*, 50*l.*, 100*l.*, 200*l.*, 300*l.*, 500*l.*, 1,000*l.*, 2,000*l.*, 3,000*l.*, 4,000*l.*, 5,000*l.*, and the Number of those whose Dividends exceed 5,000*l.*; distinguishing also, in those above 1,000*l.*, the Dividends due to any Public Company, or to more than a single Name. — (*Parl. Paper*, No. 202. Sess. 1833.)

	Not exceeding															
	5*l.*	10*l.*	50*l.*	100*l.*	200*l.*	300*l.*	500*l.*	1,000*l.*	2,000*l.*	Co. & Joint Accts. 3,000*l.*	3,000*l.*	Co. & Joint Accts. 3,000*l.*	4,000*l.*	Co. & Joint Accts. 4,000*l.*	5,000*l.* and upwards.	Total.
Number to whom dividends were payable																
On 3*l.* per cent. reduced annuities	10,347	4,745	11,681	3,473	2,175	742	453	231	53	24	9	5	5	3	12	33,958
On 3*l.* 10*s.* per cent. reduced annuities	7,019	4,362	10,173	2,909	1,561	411	251	112	15	21	5	4	nil	1	5	26,849
On 3*l.* 10*s.* per cent. annuities, 1818	* 198	162	399	211	127	57	38	30	3	3	nil	nil	nil	1	3	1,232
On 4*l.* per cent. annuities, 1826	1,601	993	2,044	512	312	92	59	15	4	1	2	1	nil	nil	nil	5,636
On long annuities	9,078	4,212	8,361	1,516	725	187	99	34	4	1	1	1	1	1	nil	24,221
On annuities for terms of years	1,519	787	1,632	351	178	56	32	20	4	nil	2	nil	nil	nil	2	4,583
On 3*l.* per cent. consolidated annuities	28,722	13,749	32,601	9,612	6,286	2,141	1,424	709	153	18	16	20	7	13	21	95,555
On 3*l.* per cent. annuities, 1726	† 120	74	180	40	27	4	2	nil	nil	nil	nil	nil	nil	nil	nil	447
On new 3*l.* 10*s.* per cent. annuities	† 26,881	14,698	29,370	6,648	3,129	765	431	204	28	20	4	1	2	4	9	32,194
On new 5*l.* per cent. annuities	35	31	107	36	20	3	4	nil	1	nil	nil	nil	nil	nil	nil	237
On annuities for terms of year	1,656	833	1,757	333	161	37	54	12	1	nil	1	3	nil	1	3	4,839
Totals	87,176	44,648	98,305	25,641	14,701	4,495	2,827	1,367	266	151	40	35	15	24	60	279,751

* Dividends payable 10th of October. † Dividends payable on 5th of January.

CHAPTER III. — DEFENCE.

SECT. I. *Army, Militia, &c.*

THE force kept up for the defence of the empire against foreign attack, and for the maintenance of tranquillity and security at home, consists principally of the army and navy.

ARMY. — The military force of Great Britain, like that of all the surrounding states, has differed widely at different epochs. During the period posterior to the Conquest, when the feudal system was in its vigour, the whole lands of the kingdom were distributed into what were called *knights' fees*, of which there were above 60,000 in England only. And every tenant *in capite*, or person holding any such fee, was bound to hold himself in readiness, if called upon, to attend the sovereign in his wars either at home or abroad for *forty* days each year. Persons unable or unwilling to serve, were obliged to provide unexceptionable substitutes, so that a force of about 60,000 men could thus be set on foot with but little or no cost to the crown. When the forty days' service were accomplished, the feudal militia were entitled to return home; those that kept the field for a longer period being paid by the sovereign for their services. But in those days, when there were few fortified places, and war was not carried on upon any scientific principles, the predatory and marauding campaigns of which it mostly consisted did not often extend beyond forty days. — (*Blackstone*, i. p. 410. ed. 1775, &c.)

But though a militia of this sort answered tolerably well in a rude age for the defence of the country, it was speedily found to be very ill fitted for carrying on the foreign wars in which our princes of the House of Plantagenet were so often involved. Hence, the system of commuting military service abroad for a money payment, or *scutage*, as it was then termed, on knights' fees was early introduced*; and as its advantages became more obvious, it was gradually substituted for military service at home. At length money

* The first instance of this sort of commutation is said to have occurred in the reign of Henry II. That prince, instead of requiring his vassals to accompany him in his war with the Earl of Thoulouse in 1159, imposed on them a scutage or tax which produced 180,000*l.* money of the time, being equal to 2,700,000*l.* of our money. By this means he consulted the prejudices of such of his English subjects as wished to remain at home, and procured the means of furnishing himself with a much more efficient army. (See *Lyttleton's History of Henry* II. 8vo. ed. vol. ii. p. 428., and the elaborate note on the same subject in the Appendix.)

payments having almost universally replaced feudal services, the latter were finally abolished by the 12 Charles II. c. 24.

Exclusive, however, of the feudal militia or constitutional force of the kingdom, our sovereigns always maintained bodies of stipendiary or mercenary troops in England as well as in the Norman provinces. The expense was defrayed for the most part from the revenues and vast estates that then belonged to the crown; but partly also, by money obtained in commutation of feudal services, and sometimes, at a later period, by parliamentary grants. With the exception of those employed as guards in the Tower of London, Dover Castle, and other fortified places, and for protecting the marches, or borders of the kingdom along the Scotch frontier, the stipendiary troops were disbanded as soon as the occasion for their services had expired. They were a mercenary but not a standing army.

During the civil wars in the reign of Charles I., the royal army chiefly consisted of regiments raised by the nobility and gentry who espoused the cause of the king from among their tenants and dependants. The parliamentary forces consisted principally of stipendiary troops recruited in the great towns which were, for the most part, hostile to the royal cause. Both parties, however, had recourse to every expedient for increasing their forces whether it were consistent with law or not.

The origin of the present standing army dates as far back as 1660, or, perhaps, earlier. In that year Charles II. formed two regiments of guards, one of horse and one of foot, consisting principally of troops that had been previously embodied, and these, with the regiment of Royal Scotch, brought from France in 1661, and some other regiments that were soon after set on foot, formed in all a force of about 5,000 men, including the troops in garrison abroad. In the latter part of the reign of James II. this force was increased, including the troops in Ireland, to about 30,000 men: but parliament did not sanction the enrolment of these forces, nor did it vote the money required for their pay and subsistence. They were embodied by authority of the crown only, and were paid for either from the civil list, or by diverting money intended for other objects to that purpose.* The principal dependence of James II. for the success of his unconstitutional projects, was placed in the devotedness of this great army. But his conduct disgusted the military as well as the rest of his subjects; and

* The first parliament of Charles II. voted 1,200,000*l.*, as the ordinary revenue of the Crown; but in the latter years of his reign it amounted to more. In the reign of James II. the revenue amounted to near 2,000,000. (*Hallam's Constitutional History*, iii. p. 156.)

the cheers of the troops encamped on Hounslow Heath at the acquittal of the bishops, proved that he had entirely lost their sympathy, and could no longer trust to them for support. In fact, no sooner had the Prince of Orange landed, than they went over to him almost to a man.

The danger arising from so unconstitutional a prerogative was, however, too great not to be immediately provided against; and it was consequently declared, in the Bill of Rights, that the raising or keeping a standing army within the kingdom in time of peace, unless with consent of parliament, is contrary to law. And from this epoch down to the present day, the army has been kept on foot under authority of an act annually renewed, called "*An act for punishing mutiny and desertion; and for the better payment of the army and their quarters.*" This act specifies the number of men to be kept on foot; the conditions under which they are enlisted, paid, billeted, &c.; and lays down a system of martial law for their government. His Majesty is authorized to issue articles of war in conformity with this act. These are usually printed with, and subjoined to the Mutiny Act, and to them the reader is referred for further particulars.

Government of the army. — The king is the supreme head, or generalissimo, of all the British forces by land and sea. He cannot, as already stated, raise or maintain forces without the authority of parliament; but in all that respects the distribution, officering, and organization of the forces granted by parliament, he is supreme. He has, also, the sole government and disposal of all forts, arsenals, and fortified places. The military can receive no orders but such as emanate from the king; and these they are bound implicitly to obey, unless they be obviously at variance with the recognized laws of the land.

All measures with respect to the employment of the military force are, of course, decided upon by his Majesty in council; and ministers are equally responsible for them as for any other act of government.

The command of the army under the king is committed to a commander-in-chief, enjoying the confidence of the ministry of the day. It is the duty of this officer to provide for the execution of such measures as may be determined upon by his Majesty in council in relation to the army, and to exercise a vigilant superintendence over all its concerns, so as to maintain it, at all times, in the highest state of efficiency and discipline.

The commander-in-chief is assisted in the discharge of his multifarious and important duties by several subordinate officers, who are each at the head of a peculiar department; such as the adjutant-

general, the quarter-master-general, the barrack-master-general, the commissary-general, the master-general of the Board of Ordnance, and the pay-master-general.

The adjutant-general has the superintendence of all matters relating to what may be called the *personnel* of the army. He is the channel through which all officers communicate with the commander-in-chief; and all orders, instructions, and regulations with respect to the recruiting, organization, discipline, &c. of the army, come within his province. He has, also, the superintendence of all matters with respect to the inspection of clothing and accoutrements, the employment of officers of the staff, the granting of leaves of absence, &c.

The functions of the quarter-master-general are chiefly called into operation during war. His duty is to prescribe routes and marches; to regulate the embarkation and disembarkation of troops; to provide them with quarters; to mark out the ground for encampments; to prepare and arrange plans for the defence of a country, &c. Much of the success of an army in the field depends on the way in which the duties of the quarter-master-general's department are performed. The admirable manner in which they were executed in Spain, under the superintendence of Sir George Murray, has been universally acknowledged.

The barrack-master-general is entrusted with the care of all that relates to the construction and repair of barracks, and the reception and lodging of the troops.

The commissary-general is at the head of the Commissariat Department. To it is entrusted the care of all that relates to the supply of the troops with provisions and necessaries of all sorts. The commissary-general is subordinate to the Treasury in what relates to financial matters, but in all that respects military matters he is under the control of the secretary-at-war. During periods of war, great abuses have frequently existed in this department, which, indeed, is more liable to be infected by them than any other in the service.

The affairs of the artillery and engineers are superintended by a separate board; and the ordnance estimates are annually voted separately from the army estimates.

The functions of the paymaster-general are strictly ministerial; his business being merely to make payments without exercising any discretion, in pursuance of warrants directed to him by the secretary-at-war and the Treasury, or both. A regimental paymaster is attached to each regiment.

The secretary-at war is, as it were, the civil officer of the army, being the channel of communication between it and the government. He is bound to give effect to the orders of the commander-in-chief, unless they appear to be contrary to the existing rules of the service,

or to occasion an excess of expenditure, in which cases he is to refer to the Treasury for instructions, and to abide by them. It is his duty to prepare the army estimates, and to submit them to parliament. He is not necessarily a member of the Cabinet, though sometimes he has a seat in it.*

Organization of the army. — The British army is divided into cavalry, infantry, and artillery, and these again into regiments and battalions. The three regiments of Life Guards consist at present each of 33 officers, 53 non-commissioned officers, 351 privates, and 274 horses. The ordinary cavalry regiments have each, at an average, 27 commissioned officers, 31 non-commissioned officers, 304 privates, and 253 horses. The grenadier regiment of foot guards, consisting of three battalions, has 96 officers, 177 non-commissioned officers, and 2,080 privates. The other two regiments of foot guards consist also of three battalions each, and have each the same number of privates, but only 61 officers, and 109 non-commissioned officers. The ordinary infantry regiments consist of one battalion, having each 39 officers, 57 non-commissioned officers, and 739 privates. The Royal Regiment of Artillery consists of nine battalions, having 449 officers, and 6,062 non-commissioned officers and men.

The officers or staff of an ordinary cavalry regiment having 304 privates, and divided into six troops, are as follows, viz., 1 colonel, 1 lieutenant-colonel, 1 major, 6 captains, 6 lieutenants, 6 cornets, 1 paymaster, 1 adjutant, 1 quarter-master, 1 surgeon, 1 assistant surgeon, and 1 veterinary surgeon — in all, 27. The officers or staff of an ordinary infantry regiment, consisting of one battalion of 500 men rank and file, consist of 1 lieutenant-colonel, 2 majors, 10 captains, 12 lieutenants, 8 ensigns, 1 paymaster, 1 adjutant, 1 quarter-master, and 1 surgeon, with 2 assistants — in all 39. When additional battalions are raised, each has a separate staff. The colonelcy of a regiment is in a great measure a sinecure.

Appointment of officers. — Officers may either purchase their appointment originally, and each succeeding step of promotion according to the rules of the service, or they may be appointed in the first instance, and subsequently promoted without purchase, by the commander-in-chief. They are all commissioned by the king. Very few officers in the British army have risen from the ranks, and in this respect, as well as in several others, it differs materially from the army of France, and of some of the other continental states. It has been questioned whether it be as superior to them in this particular as it certainly is in several others. But there is really very little room for doubt on

* For further details as to these different departments see the learned and excellent article on armies, in the new edition of the *Encyclopædia Britannica*, by Dr. Brown of Edinburgh.

the subject. The arrangement in question powerfully contributes to maintain the discipline of the army; to hinder it from being influenced by popular feelings or prejudices; and to make it (in which its chief excellence consists) a willing as well as an efficient instrument in the hands of the executive. The Duke of Wellington has successfully obviated some of the more common objections to the present practice. *

Prices of Commissions.

RANK.	Full price of Commissions.	Difference in value between the several Commissions in succession.	Difference in value between Full and Half-pay.
	£ s.	£ s.	£ s. d.
Life Guards.			
Lieutenant-Colonel.	7,250 0	1,900 0	
Major	5,350 0	1,850 0	
Captain	3,500 0	1,715 0	
Lieutenant	1,785 0	525 0	
Cornet	1,260 0		
Royal Regiment of Horse Guards.			
Lieutenant-Colonel	7,250 0	1,900 0	
Major	5,350 0	1,850 0	
Captain	3,500 0	1,900 0	
Lieutenant	1,600 0	400 0	
Cornet	1,200 0		
Dragoon Guards and Dragoons.			
Lieutenant-Colonel	6,175 0	1,600 0	1,533 0 0
Major	4575 0	1,350 0	1,352 0 0
Captain	3,225 0	2,035 0	1,034 3 4
Lieutenant	1,190 0	350 0	632 13 4
Cornet	840 0		300 0 0
Foot Guards.			
Lieutenant-Colonel	9,000 0	700 0	
Major, with Rank of Colonel	8,300 0	3,500 0	
Captain, with Rank of Lieut-Col.	4,800 0	2,750 0	
Lieutenant, with rank of Captain	2,050 0	850 0	
Ensign, with Rank of Lieutenant	1,200 0		
Regiments of the Line.			
Lieutenant-Colonel	4,500 0	1,300 0	1314 0 0
Major	3,200 0	1,400 0	949 0 0
Captain	1,800 0	1,100 0	511 0 0
Lieutenant	700 0	250 0	365 0 0
Ensign	450 0		150 0 0
Fusiliers and Rifle Corps, having 1st and 2d Lieutenants.			
1st Lieutenant	700 0	200 0	365 0 0
2d Lieutenant	500 0		200 0 0

Enlistment. — Formerly it was customary to enlist soldiers by what is called *indenture.* In other words, certain individuals bound themselves by indenture to provide a given number of able-bodied men to serve his Majesty for some specified time, at certain capitulated

* See the able and well considered evidence given by his Grace before the Commissioners on Military Punishments.

rates of pay and bounty, then called wages or regards. It was usual for the King to advance beforehand a portion of such pay or bounty, which was called "impressment money," and to give security for the regular payment of the remainder. But this system has been long abandoned, and the business of enlisting or recruiting for the army has been carried on, since the Revolution, by military officers appointed for that purpose.

Soldiers are enlisted either for a limited or an unlimited number of years, or, which is the same thing, till they be discharged. The limited periods for which a person may at present enlist are fixed at 7 years for the infantry, 10 years for the cavalry, and 12 years for the artillery, provided the party enlisting be of the age of 18 years or upwards; but, if under 18, then the difference between his age and 18 is to be added to the above periods of 7, or 10, or 12 years, as the case may be. A person when enlisted is to be brought, not sooner than one, nor later than four days, before a justice of the peace, who is directed to put to him certain questions contained in the schedules of the Mutiny Act; and, to give persons time to reflect on what they have done, and to prevent hasty or incautious enlistment, it is provided that, if any recruit brought before a justice, or who, not being brought, goes voluntarily before one (as he is authorised to do), and declares his dissent from the enlistment, he is to be released therefrom, and discharged on his paying a fine of twenty shillings, together with the enlisting money and other expenses incurred on his account.

Napoleon laid it down as a fundamental principle, "*que la conscription est le mode de recrutement le plus juste, le plus doux, le plus avantageux au peuple;*" and the armies of France, Prussia, and most continental nations, continue to be recruited on this principle. Nor have those been wanting who have recommended its introduction into this country, or, at least, an extension to the army of the principle on which the militia is recruited. The plan of recruiting by voluntary enlistment is, however, the only one consistent with the free principles of the British constitution; and, notwithstanding the high authority on the other side, it is intrinsically the best. We do not mean to deny that the system of conscription, provided it be made equal and impartial, has some considerable advantages: but they are certainly very much overbalanced by the disadvantages that are inseparable from it. Among the individuals subject to a conscription, there is the greatest possible discrepancy of tastes and tempers, some preferring the military profession to any one else, while to others it is an abhorrence. The system of voluntary enlistment avails itself of these differences. Far from offering violence to any one, it gratifies all by enabling those who choose to become soldiers, and those who

prefer other pursuits to prosecute them without let or hindrance. The conscription, on the other hand, introduces a system of fatalism where there should be choice and discrimination; the chances being equal that the lots will fall upon the individuals most disinclined to enter the army. Who would think of forcing people, against their inclinations, to become miners, shoemakers, or weavers? and why should the state attempt to enforce a system productive of still greater hardship and injustice? If soldiers could not be procured by other means, we should readily admit that necessity formed a valid excuse for the introduction of a conscription: but such is very far indeed from being the case. Men in abundance may always be found, without any compulsory process, and with very moderate encouragement, ready to undertake any employment, how disagreeable or hazardous soever. The free and adventurous life of a soldier has, however, many powerful attractions. Even during war the dangers and privations of campaigns are underrated, and the chances of advancement proportionally exaggerated in the heated imaginations of the young and the inconsiderate; and, unless his pay and other advantages be very decidedly below what the state of society requires, a moderately populous country has never the least difficulty about obtaining any number of troops by voluntary enlistment. During the latter years of the war, when the prices of almost every thing sustained an extraordinary advance, the pay of the troops continued stationary, and was not, consequently, so good as it ought to have been, or as it has since become, now that the prices of most articles have been materially reduced; though we continue of opinion that it might and ought still to be raised. The custom of allowing criminals to enlist into the army has also had a tendency to degrade the service, and to generate a prejudice against it; and of late years many have supposed that a similar effect was produced by the popular odium attached to the punishment of flogging: but we doubt whether this latter circumstance has had any perceptible influence. Punishment is not wantonly inflicted; and never, indeed, without the party punished having committed some very grave offence, such as stealing, being drunk on duty, insulting officers, &c. And there are very few so conscious of their own demerit as to suppose, when they are about entering the army, that they will ever commit any such offences, or that, consequently, they will ever be made amenable to punishment. We do not, therefore, attach any weight to this statement; and the enlisting of criminals into the army is now nearly put an end to. Provided the soldier be sufficiently paid, that merit and long service be sufficiently rewarded, and crime and bad conduct be repressed by prompt and suitable punishment, there

is nothing in the army to render it unpopular; and we may depend upon it that, under the conditions supposed, no difficulty will ever be found of obtaining ample supplies of the best men for the public service. Conscription is, in fact, as unnecessary as it is cruel and revolting. If we be ever driven to this arbitrary and oppressive expedient, the necessity will have arisen from the adoption of some spurious system of economy, or from something improper in the treatment of the troops, or both.

The plan of enlisting for limited periods began in 1806, and is a very great improvement. Many men, who would not adventure upon enlistment for life, are, notwithstanding, disposed to enlist for the term of seven years, thinking that, if the service turn out to be less agreeable than they expect, they will then be able to leave it. But the chances are, that, though they do not relish it much at first, by the time they have been seven years in the army they will have become so habituated to it, as to have no wish to leave it. Hence it is that enlistment for limited periods increases materially the facilities for getting recruits, without sensibly lessening the number of veterans in the army.

Number of Troops. — Owing to the jealousy with which a standing army was long regarded, and the heavy cost of its maintenance, it has always been confined, at least in periods of peace, within pretty narrow limits. In the reign of William III., during the short interval between the treaty of Ryswick and the war of the Spanish succession, the standing army was reduced, in opposition to the most obvious considerations of expediency, and despite the efforts of the King, to so few as 7,000 men. And William, who had been the instrument, under Providence, of establishing a free government in these realms, and of preserving the balance of power in Europe, was obliged to submit to the mortification, which he felt most acutely, of dismissing his favourite regiments of Dutch guards and French refugees. (*Hallam*, iii. p. 190.) During the lengthened administration of Sir Robert Walpole, the standing army gradually amounted to about 17,000 men, exclusive of the troops in Ireland, but inclusive of those in Gibraltar and Minorca. After the peace of Paris in 1763, the peace establishment was fixed, including the troops in garrisons abroad and in Ireland, at about 40,000 men. In the course of the American war, both the army and navy were very much augmented; but at the conclusion of that unfortunate contest they were again reduced to what might be considered, under the altered circumstances of the world, as something like their old level. All previous contests and armaments were, however, thrown into the shade, and made to appear insignificant, by the vast efforts that signalised the war with France, that broke out in 1793, and was only terminated in 1815. During the latter years of that momentous contest, which was truly a struggle *pro aris et focis*, we had, including volunteers, yeomanry, militia, &c., a land force embodied of not less than 450,000 men! Happily, our exertions and sacrifices were crowned with success; and not only provided for our own security, but were mainly instrumental in enabling continental Europe to emancipate itself from the military despotism by which it had for a while been crushed. We subjoin an account, taken from official documents, of the regular troops, exclusive of the ordnance, at home, in the colonies, and in foreign countries, in 1792, 1815, and 1834; and of the expense incurred on their account.

At Home and in the Colonies.	1792.	1815.	1834.
Household Cavalry	779	1,504	1,311
Foot Guards	3,766	9,612	5,253
Cavalry of the Line	5,409	16,477	7,002
Infantry of the Line	36,598	138,701	69,360
Garrison Battalions	- -	1,823	
Veteran Battalions	- -	2,922	
West India Regiments	- -	8,798	1,863
Miscellaneous and Colonial Corps	- -	7,147	3,727
Fencibles	- -	3,268	
Foreign Corps	- -	21,314	
Augmentations in progress	- -	9,148	
	46,552	220,714	88,516
In India.			
Cavalry of the Line	512	5,555	3,156
Infantry of the Line	10,188	24,045	17,000
Totals	57,252	250,314	108,672

In 1792 the numbers above stated were in a course of reduction.

The sums voted upon the British estimates were, —	£	s.	d.
For Great Britain	560,205	12	0
For the Colonies	319,488	3	0
Difference between British and Irish pay of regiments lent by Ireland	7,153	17	3
Recruiting, bread, money, and returned poundage	98,037	15	0
	£ 984,885	7	3
The charge of the army in Ireland has not been correctly ascertained, but is believed to have been about	601,000	0	0
	£ 1,585,885	7	3

The sums voted upon the army estimates for 1815, which included the Irish charge, were, —

	£	s.	d.
For the land forces	6,721,880	7	5
For augmentations	384,260	1	11
For foreign corps	833,715	4	0
	£ 7,939,855	13	4

The amount granted for the charge of the land forces for the twelve months ended 31st March, 1835, was £ 3,357,192 10 5

These estimates are all exclusive of the charge for *non-effective* services, or for half pay pensions, &c., and of the expense defrayed by the East India Company. The total sum voted on account of the military forces, exclusive of the ordnance, for the year 1834–35, was 5,944,928*l.* 10*s.* 5*d.*

Ordnance.—The above estimates are, also, as already stated, exclusive of the artillery and other descriptions of force under the orders of the ordnance department. There were voted, on the ordnance estimates for 1836–37, 73 master gunners, 242 royal engineers, 3 officers, and 733 men as sappers and miners; 449 officers and 6,062 men in the royal regiment of artillery; 4 officers and 80 cadets in the company of gentlemen cadets; and 49 officers and 590 men in the royal horse artillery; making in all 827 officers and gentlemen, and 7,458 men. The total sum voted on account of the ordnance estimates for the year 1835–36 was 1,296,059*l.*; making the total expense of the army for that year 7,203,541*l.*

Subjoined is an account of the army estimates for 1836–37, exhibiting in detail the number of each description of force, and the separate items of expenditure.

Estimates of the Charge of the Effective and Non-effective Army Services for 365 Days, from 1st of April, 1836, to 31st of March, 1837.

I. ESTIMATES OF EFFECTIVE SERVICES.

	Horses.	Officers.	Non-commissioned Officers, Trumpeters, &c.	Rank and File.	All Ranks.	Pay and Daily Allowances.	Annual Allowances to Field Officers, &c., and for Farriery.	Agency.	Clothing.	Totals for the Service of the Year.
						£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1. Of the charge of the Land Forces for service at home and abroad										
Life Guards and Horse Guards	822	99	159	1,053	1,311	79,367 14 6	15,484 18 6	858 12 2	10,391 4 4	87,102 9 6
Cavalry of the Line	7,696	712	866	8,578	10,156	400,350 13 9	19,852 14 6	5,223 17 0	40,945 4 0	466,372 9 3
Foot Guards	- -	218	395	4,649	5,253	149,858 2 10	20,737 7 6	1,535 19 7	19,948 0 0	192,079 9 11
Infantry of the Line	200	4,610	6,338	81,407	92,355	2,481,489 3 5	39,516 5 10	24,857 10 1	235,502 9 11	2,781,365 9 3
	8,718	5,639	7,758	95,678	109,075	3,102,065 14 6	85,591 6 4	32,475 18 10	306,786 18 3	3,526,919 17 11
Deduct a proportion of the charge for the pay and clothing of the men wanting to complete the establishment of the Cavalry, Foot Guards, and Infantry	- -	- -	- -	8,036	8,036	161,000 0 0	- -	- -	20,000 0 0	181,000 0 0
	8,718	5,639	7,758	87,642	101,039	2,941,065 14 6	85,591 6 4	32,475 18 10	286,786 18 3	3,345,919 17 11
Deduct also estimated short issues for men in confinement, &c.	- -	- -	- -	- -	- -	15,500 0 0	- -	- -	- -	15,500 0 0
Number and charge of the Land Forces for service at home and abroad	8,718	5,639	7,758	87,642	101,039	2,925,565 14 6	85,591 6 4	32,475 18 10	286,786 18 3	3,330,419 17 11
Which may be distinguished as applicable										
To the United Kingdom and Foreign Stations	5,914	4,523	6,442	70,354	81,319	2,316,640 4 9	72,192 18 8	26,058 13 7	228,428 10 7	2,643,320 7 7
To the East Indies	2,804	1,116	1,316	17,288	19,720	608,925 9 9	13,398 7 8	6,417 5 3	58,358 7 8	687,099 10 4
	8,718	5,639	7,758	87,642	101,039	2,925,565 14 6	85,591 6 4	32,475 18 10	286,786 18 3	3,330,419 17 11

WHEREOF AS ABOVE.

	Charge for the Land Forces, exclusive of India.	Charge to be defrayed by the East India Company.	Totals.
	£. s. d.	£. s. d.	£. s. d.
	2,643,320 7 7	687,099 10 4	3,330,419 17 11
To which add			
1. Miscellaneous charges	274,000 0 0	- -	274,000 0 0
2. Contingencies	102,688 0 8	- -	102,688 0 8
3. For depôts at Chatham, Maidstone, establishment at Portsmouth, and depôts of regiment in the East Indies	4,093 17 6	1,000 0 0	7,127 9 7
4. Recruiting charges	77,955 0 11	3,033 12 1	77,955 0 11
5. Pay of military labourers and pioneers in West Indies, &c., transferred from the army extraordinaries	7,500 0 0	- -	7,500 0 0
Total charge of the Land Forces, 1836-37	3,109,557 6 8	691,133 2 5	3,800,690 9 1

	Pay.	Contingencies.	Totals.	Grand Totals.
	L. *s.* *d.*	*L.* *s.* *d.*	*L.* *s.* *d.*	*L.* *s.* *d.*
2. Of the charge of general staff officers and officers of the hospitals serving with the forces at home and abroad, and of the garrison of the Tower of London, viz : —				
1. General and medical staff at home	31,289 9 3	21,800 0 0	53,089 9 3	
2. General and medical staff abroad	38,784 5 10	51,500 0 0	90,284 5 10	
Together	70,073 15 1	73,300 0 0	143,373 15 1	
Additional pay of chaplains and medical officers at home and abroad, and allowances to principal medical officers on certain foreign stations	7,327 7 6	- -	7,327 7 6	
	77,401 2 7	73,300 0 0	150,701 2 7	
Deduct amount of deductions to which infantry officers on full pay, who hold staff appointments, are liable	921 12 6	- -	921 12 6	
Remains	76,479 10 1	73,300 0 0	149,779 10 1	
3. Garrison of the Tower of London	3,904 18 4	- -	3,904 18 4	
Total charge for staff and Tower of London, 1836-37	80,384 8 5	73,300 0 0	153,684 8 5	153,684 8 5
3. Of the charge of the allowances to the principal officers of the public departments under mentioned, their deputies, clerks, and contingent expenses, viz : —				
General commanding in chief and his personal staff, including their allowances for forage and travelling expenses, secretaries, assistants, clerks, &c.			12,833 10 0	
Secretary at war, his deputy, clerks, &c.			27,603 16 6	
Adjutant-general, his deputy, &c.			7,156 11 0	
Quarter-master general, his deputy, clerks, &c.			6,276 13 6	
Judge-advocate general, his deputies, clerks, &c.			4,362 14 0	
Charge for public departments				58,233 5 0
4. Of the charge of the Royal Military College				17,923 14 9
5. Of the charge of the Royal Military Asylum and of the Hibernian Military School, viz : —				
1. Of the Royal Military Asylum			10,695 13 9	
2. Of the Hibernian Military School			4,149 1 11	
Charge for the Royal Military Asylum and Hibernian Military School				14,844 15 8
6. Of the charge of volunteer corps				106,211 6 8
Total estimates for effective army services, 1836-37				4,151,587 19 7
Deduct charge of the land forces defrayed by the East India Company, as above				691,133 2 5
Remains charge for the United Kingdom and the colonies				3,460,454 17 2

II. ESTIMATES OF NON-EFFECTIVE SERVICES.

1. Of the charge of allowances as rewards for distinguished services, and allowances to officers of garrisons at home and abroad, holding their appointments as rewards for military service, but to which no efficient military duty attaches, and which appointments will be abolished on vacancies occurring, when rewards for distinguished services will be granted in lieu thereof	16,311 13 4
2. Of the charge of the pay of general officers, not being colonels of regiments	106,000 0 0
3. Of the charge of full pay for reduced and retired officers of his Majesty's forces	71,500 0 0
4. Of the charge for half pay and military allowances to reduced and retired officers	566,000 0 0
5. Of the charge of half pay and reduced allowances to officers of disbanded foreign corps, of pensions to wounded foreign officers, and of allowances to the widows and children of deceased foreign officers	75,760 0 0
6. Of the charge of pensions to be paid to widows of officers of the land forces	148,990 0 0
7. Of the charge of allowances on the compassionate list, of allowances as of his Majesty's royal bounty, and of pensions, gratuities, and allowances to officers for wounds	154,000 0 0
8. Of the charge of Chelsea and Kilmainham Hospitals, of the in-pensioners of these establishments, of the out-pensioners of Chelsea Hospital, and pensions granted to discharged negro soldiers	1,337,050 16 1
9. Of the charge of allowances, compensations, and emoluments in the nature of superannuation or retired allowances, to persons formerly belonging to public departments in the United Kingdom	47,965 13 7
Total estimates for non-effective services	2,523,578 3 0
To which add total estimates for effective services, as before	4,151,587 19 7
Grand total of estimates for effective and non-effective army services, 1836-37	6,675,166 2 7
And deducting charge for land forces defrayed by the East India Company, as before	691,133 2 5
There remains grand total of estimates for effective and non-effective army services for the United Kingdom and colonies	5,984,033 0 2

III. ORDNANCE.

Estimate for ordnance 1836-37	1,263,449 0 0
Total expense of army in 1836-37	7,247,482 0 2

Pay of Troops. — The pay, and other emoluments of the officers and men in the army, depend partly on the department of the service to which they belong, and partly on the length of time during which they have been in service. The pay of what are called the household troops, consisting of the two regiments of Life Guards, and the royal regiment of Horse Guards, or Oxford Blues, is higher than that of any other description of force. In this corps the pay of a private varies from 1*s.* 9¼*d.* to 2*s.* 0¼*d.* a day; the pay of a private in the cavalry of the line being 1*s.* 4*d.*; in the foot guards, 1*s.* 2*d.*; and in the infantry of the line, 1*s.* 1*d.* a day: the statutory allowance of 1*d.* a day as beer money, payable to all non-commissioned officers and men in Great Britain and Ireland, being uniformly included. Soldiers, however, are not entitled to receive the whole of this pay in money. When at home in bar-

racks, or in stationary quarters, they are supplied with bread and meat, at the rate of three quarters of a pound of meat and one pound of bread a day for each man; for which 6*d.* a day, and not more, is to be deducted from their pay. The principal part of a soldier's clothes and accoutrements are furnished at the public expense. The pay of all privates serving in the cavalry is, however, liable to a deduction of 2*s.* 7¼*d.* a week on account of such articles; and a deduction of 1*s.* 1*d.* a week is made from the pay of privates in the foot guards, and of 1*s.* 6*d.* a week from the pay of all other privates serving in the infantry, on the same account.

Certain descriptions of officers, as paymasters, surgeons, assistant surgeons, lieutenants, quarter-masters, and veterinary surgeons, are entitled, after certain periods of service, to additional pay. Privates enlisted prior to the 24th of January, 1823, are entitled to 1*d.* per diem additional pay, after seven years' service; and *all* persons are entitled to 2*d.* per diem additional pay after fourteen years' service. The following table exhibits the daily pay of all descriptions of commissioned and non-commissioned officers and men in the principal departments of the service, as fixed by royal warrant of the 1st of April, 1834.

Annual Rates of Pay of Officers.

Rank of Officer.	First Dragoon Guards.	Other Regiments of Cavalry.	Regular Infantry.	First West India Regiment.	Second West India Regiment.
	£	£	£	£ s. d.	£ s. d.
Colonel { If appointed on or before the 31st March, 1834	1,100	1,000	600	574 17 6	593 2 6
Colonel { If appointed after that day	1,100	900	500	500 0 0	500 0 0

Daily Rates of Pay of Officers.

Rank of Officer.	Dragoon Guards and Dragoons.	Infantry of the Line.	Staff Corps.
	£ s. d.	£ s. d.	£ s. d.
Lieutenant-Colonel	1 3 0	0 17 0	
Major	0 19 3	0 16 0	
Captain	0 14 7	0 11 7	0 15 8
Ditto, having higher rank by brevet	- -	0 13 7	
Lieutenant	0 9 0	0 6 6	0 9 0
Ditto, after 7 years' service as a lieutenant; or after 5 years' such service, if the officer was present as a subaltern at the battle of Waterloo	- -	0 7 6	
Ditto, after 5 years' service as a lieutenant, if the officer was present as a subaltern at the battle of Waterloo, but not otherwise	0 10 0	- -	0 10 0
Cornet	0 8 0		
Ensign	- -	0 5 3	
Paymaster	0 15 0	0 15 0	
Ditto, after 20 years' service in that rank on full pay	1 0 0	1 0 0	
Adjutant	0 10 0	0 8 6	
Surgeon	0 13 0	0 13 0	
Ditto, after 10 years' service on full pay in the army, in any capacity as a medical officer	0 15 0	0 15 0	
Ditto, after 20 years	0 19 0	0 19 0	
Ditto, after 25 years	1 2 0	1 2 0	
Assistant surgeon	0 8 6	0 7 6	
Ditto, after 10 years' service on full pay in the army, in any capacity as a medical officer	0 11 0	0 10 0	
Veterinary surgeon	0 8 0		
Ditto, after 3 years' service in the army in any capacity	0 10 0		
Ditto, after 10 — as a medical officer on	0 12 0		
Ditto, after 20 — full pay	0 15 0		
Quarter-master	0 8 0	0 6 6	0 6 6
Ditto, after 10 years' service in that rank on full pay	0 10 6	0 8 6	0 8 6
Ditto, after 15 years' ditto	0 12 0	0 10 0	0 10 0

Rates of Daily Pay of Non-commissioned Officers, Trumpeters, Drummers, Privates, and Boys.

Rank of Non-commissioned Officer, &c.	Dragoon Guards and Dragoons.	Infantry of the Line.	Staff Corps.
	s. d.	s. d.	s. d.
Serjeant-major (regimental)	3 6	3 0	
Troop serjeant-major	3 0		
Serjeant-major in West India regiments (regimental)	- -	3 6	
Company serjeant-major in West India regiments	- -	2 10	
Quarter-master serjeant	- -	2 6	3 0
Colour serjeant	- -	2 4	
Paymaster serjeant	2 2	1 10	2 6
Ditto, after 10 years' service as such	2 3	2 4	
Regimental orderly room clerk	2 2	1 10	
Ditto, after 10 years' service as such	2 3	2 4	
Schoolmaster-serjeant	2 2	1 10	
Armourer-serjeant	2 2	1 10	
Saddler-serjeant	2 2		
Hospital-serjeant	2 2	1 10	
Trumpet, drum, or bugle major	2 2	1 10	
Serjeant	2 2	1 10	2 6
Corporal	1 7½	1 4	
Private or farrier	1 3	1 0	
Privates, 1st class — staff corps	- -	- -	2 0
Privates, 2d class — staff corps	- -	- -	1 6
Privates, 3d class — staff corps	- -	- -	1 3
Boys until they attain the age of 15 years	0 10	0 0	0 10
Lads in staff corps under the age of 18 years	- -	- -	1 0
Trumpeter, bugler, drummer, or fifer	1 7	1 1½	1 3

Half Pay. — Besides their pay when embodied, and on service, all classes of commissioned officers, who have served certain periods, receive, when reduced, or off duty, certain sums, denominated half pay. A few officers, and others, receive what are called military allowances. The rates of half pay are of two sorts, denominated *new* and *old*. All officers placed upon half pay during the late war, or who may have been reduced upon the formation of a peace establishment, and all officers compelled for the *public convenience* to retire upon half pay, or in consequence of ill health, as certified by the medical board, are entitled to the new rate of half pay.

Table exhibiting the New and Old Rates of Half Pay.—(*Warrant*, 22d July, 1830.)

Rank of Officer.	Cavalry.		Infantry.	
	New Rate.	Old Rate.	New Rate.	Old Rate.
	per diem.	per diem.	per diem.	per diem.
	s. d.	s. d.	s. d.	s. d.
Colonel	15 6	13 0	14 6	12 0
Lieutenant-colonel	12 6	10 0	11 0	8 6
Major	10 0	8 0	9 6	7 6
Captain	7 6	5 6	7 0	5 0
Lieutenant	4 8	3 0	4 0	2 4
Ditto of Infantry, if commissioned 7 years as a lieutenant in the regular army, at the date of being placed upon half pay	- -	- -	4 6	
Ditto of Cavalry of 5 years' standing, if entitled to reckon 2 years for the battle of Waterloo	5 2			
Cornet	3 6	2 6		
Second-lieutenant and ensign	- -	- -	3 0	1 10
Adjutant, if not commissioned as lieutenant	4 0	4 0	4 0	4 0

Half Pay of Medical Officers. — Such Officers, if placed on Half Pay by *reduction of Establishment*, are allowed the following Rates of Half Pay.

Rank of reduced Medical Officer.	Rates of Half-Pay after a Service on Full Pay of				
	30 Years.	25 but under 30 Years.	20 but under 25 Years.	10 but under 20 Years.	Less than 10 Years.
	per diem.	per diem.	per diem.	per diem.	per diem.
	L. s. d.	L. s. d.	L. s. d.	L. s. d.	L. s. d.
Inspector general of hospitals	1 10 0	1 5 0	1 0 0		
Deputy inspector general of hospitals	1 0 0	0 17 0	0 14 0	0 10 6	0 8 0
Assistant inspector of hospitals	0 17 0	0 15 0	0 12 6	0 10 0	0 7 6
Staff surgeon	0 16 0	0 14 0	0 12 0	0 9 6	0 7 0
Regimental surgeon	0 15 0	0 13 0	0 11 0	0 8 6	0 6 0
Assistant surgeon	0 7 6	0 7 0	0 6 0	0 5 0	0 4 0

Medical Officers placed on Half Pay, from any Cause other than Reduction, are allowed the following Rates of Half Pay.

Rank of Retired Medical Officer.	Rates of Half Pay after a Service on Full Pay of				
	30 Years.	25 but under 30 Years.	20 but under 25 Years.	10 but under 20 Years.	Less than 10 Years.
	per diem. L. s. d.	per diem. L. s. d.	per diem. L. s. d.	per diem. L. s. d.	per diem. L. s. d.
Inspector general of hospitals	1 0 0	0 15 0	0 12 0		
Deputy inspector general of hospitals	0 18 0	0 14 0	0 10 0	0 8 0	0 7 0
Assistant inspector of hospitals	0 16 0	0 13 0	0 9 6	0 7 6	0 6 6
Staff surgeon	0 15 0	0 12 0	0 9 0	0 6 6	0 6 0
Regimental surgeon	0 15 0	0 11 6	0 8 0	0 6 0	0 5 6
Assistant surgeon	0 7 0	0 6 0	0 5 0	0 4 0	0 3 0

The number of officers receiving half pay in 1836-37 was 5,268; and the total sum awarded to them was 548,000*l.*, being at the rate of 104*l.* to each. The military allowances during the same year were 18,000*l.*, divided amongst 167 individuals.

The widows of deceased officers are also entitled to pensions; varying from 90*l.* for the widow of a colonel, to 30*l.* for the widow of a veterinary surgeon. During the year 1836-37, no fewer than 3,083 widows received such pensions: the sum voted on their account was 148,990*l.*—(*Army Estimates for* 1836-37, pp. 62, 63.)

A considerable sum (154,000*l.* in 1836-37) is also annually voted to enable his Majesty to make compassionate allowances and gratuities to the families and relatives of deceased officers in distressed circumstances, and to officers who have lost an eye, or sustained other serious and permanent injury on service. — (*Estimates for* 1836-37, p. 64.)

Soldiers' Pensions.— A considerable part of a soldier's remuneration has been made to depend on pensions and gratuities given for wounds received in action, length of service, &c. The expediency of this arrangement is obvious. Neither the pay nor the habits of a soldier are such as to afford the means of making any certain provision for old age; and, though they were, the casualties to which he is exposed, especially during war, would in many instances effectually hinder him from accomplishing any thing of the sort. But it would be alike degrading to the profession, and injurious to the best interests of the nation, were those who had been disabled in the public service to be thrown as paupers on the parish; or that deserving soldiers, after serving for fourteen years, or upwards, should be turned adrift with nothing to depend upon. To obviate the hardships and inconveniences which would result from such a state of things, pensions and gratuities are granted under certain conditions, in consideration partly of wounds or disabilities received in the service, and partly of length of service.

The first general regulation, as to pensions, was issued in 1806. A number of warrants, bearing upon the same subject, having been issued at different subsequent periods, a general warrant, consolidating and amending their various regulations, was issued in November, 1829. But this has been superseded by the warrant issued on the 7th of February, 1833; which promulgated an entirely new scale of pensions and gratuities. But in it, as in all previous warrants, the right of the soldier to be pensioned according to the regulations in force when he enlisted is preserved.

The pensions granted under this warrant are either permanent or temporary, according to circumstances. Pensions for wounds in action differ, according to the severity of the wound, from 6*d.* a day to a private, and 1*s.* to a sergeant, to 2*s.* to a private, and 3*s.* to a sergeant; and in cases of extreme suffering, an additional grant may be made, not exceeding 6*d.* a day. The loss of sight, from causes attributable to the service, is recompensed by a pension of from 9*d.* to 1*s.* a day. Men unfit for the ordinary duties of a soldier, and discharged after twenty-one years' service in the infantry, and twenty-four years' service in the cavalry, receive a permanent pension varying from 6*d.* to 1*s.* a day for privates, to 1*s.* and 1*s.* 6*d.* a day for sergeants. Men

discharged, after the above-mentioned periods of service, as unfit for the ordinary duties of a soldier, and who are at the same time incapable, by injuries contracted in the service, of earning a sufficient livelihood, receive, in addition to the above rates, privates 3*d.* and sergeants 6*d.* a day. Men discharged from the service, and unfit to earn a livelihood, after fourteen, and twenty-one, years' service, receive permanent pensions; privates, of 6*d.* and 8*d.*, and sergeants, of 9*d.* and 1*s.* a day. Temporary pensions are also granted to persons, unfit for the ordinary duties of a soldier, leaving the army under seven years' service; and to those leaving it, for the same cause, above seven but under ten years' service, and so on. Soldiers of good character, though enlisted for indefinite periods, may, at their own request, be discharged, on payment of certain fixed sums, after certain specified terms of service; and they are entitled to a *free* discharge in the infantry after fifteen, and in the cavalry after sixteen, years' service. Soldiers obtaining free discharges are also entitled, if they settle in any of the colonies, to gratuities varying with the length and description of their service, which are to be paid on their settlement. Gratuitous and honorary medals are, also, given for good conduct and meritorious services.

Chelsea Hospital. — This magnificent establishment was founded in the reign of Charles II., for the relief and support of disabled and worn-out soldiers. It is managed by a board of commissioners, to whose superintendence the various regulations as to the granting of pensions in the army is committed; and who admit a certain number of persons into the establishment, where they are boarded and lodged. Hence the distinction between *in* and *out* pensioners: soldiers living in any part of the country, and receiving a pension, being called out-pensioners of Chelsea Hospital; and those who reside in the house being called in-pensioners. The number of the latter varies; but, at present, they amount to 539. The total out-pensioners upon Chelsea Hospital, in 1836-37, amounted to 79,500; their annual expense being 1,359,463*l.* We subjoin an account of the number of out-pensioners upon Chelsea Hospital in 1835-36 and 1836-37, classified according to the description of force to which they belonged, and specifying the numbers in each class, and the daily pensions payable to each: —

Out-Pensioners of Chelsea Hospital. — (*Army Estimates for* 1836-37, p. 65.)

Numbers in 1835-36.	Numbers in 1836-37.				Rate.	For One Day.
	Regulars.	Ordnance.	Yeomanry.	Totals.		
					s. d.	*s. d.*
37	22	- -	14	36	at 0 4½ a day.	0 14 3
4,019	2,345	1,552	- -	3,867	— 0 5 —	80 11 3
29	- -	28	- -	28	— 0 5½ —	0 12 10
15,959	14,307	1,035	44	15,386	— 0 6 —	384 13 0
25	- -	25	- -	25	— 0 6½ —	0 13 6½
2,232	2,107	77	- -	2,184	— 0 7 —	63 14 0
21	- -	19	- -	19	— 0 7½ —	0 11 10½
39	- -	39	- -	39	— 0 8 —	1 6 0
21	- -	21	- -	21	— 0 8½ —	0 14 10½
14,189	12,703	1,131	6	13,840	— 0 9 —	519 0 0
32	- -	32	- -	32	— 0 9½ —	1 5 4
1,489	1,446	65	- -	1,511	— 0 10 —	62 19 0
23	- -	22	- -	22	— 0 10½ —	0 19 3
34	- -	33	- -	33	— 0 11 —	1 10 3
43	16	27	- -	43	— 0 11½ —	2 1 3½
2	- -	2	- -	2	— 0 13½ —	0 1 11½
19,617	16,506	2,660	1	19,167	— 1 0 —	958 7 0
21,553	18,527	2,337	- -	21,864	Between 1*s.* and 2*s.* a day, in consequence of their being totally disabled, or of having served more than 21 years in the infantry, or 24 years in the cavalry - -	1,491 1 7
1,385	1,159	222	- -	1,381	Between 2*s.* and 3*s.* a day -	153 13 9
80,749	69,138	10,297	65	79,500	For one day - -	3,724 11 1½
					Which, for 365 days is - - - -	1,359,463 0 7½

A royal school is attached to Chelsea Hospital; where the orphans and other children of soldiers are brought up and educated.

Militia.—This term, in its general sense, means the whole body of persons, whether stipendiary or not, who bear arms in defence of the state. But, amongst us, its meaning is restricted to the county forces selected by lot from the inhabitants, and commanded by the lords-lieutenant. The standing army being, as already stated, an object of much jealousy with many persons; and the necessity of having a force provided, not merely for the preservation of internal tranquillity, but to oppose an enemy in the case of invasion; led most persons attached to popular principles to recommend the substitution of a militia for a standing army. This favourite plan was carried into effect in 1757. By the act then passed (18 Geo. II. c. 30.), a certain number of the inhabitants of every county, selected by ballot, were to serve in the militia for three years, or else to provide substitutes. They were to be annually called out, trained, and disciplined for a certain number of days; and were to be officered by the deputy lieutenants and principal landholders. They were not compellable to march out of their respective counties, except in case of invasion or of actual rebellion; nor were they in any case compelled to march out of the kingdom. While upon duty, they were subject to martial law; but at other times this was not the case. Subsequent acts considerably altered and modified this system. During the late war, the militia was kept constantly on foot, and might be sent to any part of the kingdom; so that it differed little from the regular army, except that it could not be sent abroad, and that it was recruited by ballot. But, in addition to the above, a militia, called *local*, corresponding very closely to the militia of the reign of George II., was established in every county. After the peace of 1815, the militia was disembodied: it may, however, be still called out if necessary, but that is rarely thought to be the case.

The popularity that attached to the militia at its first formation was but short-lived; and it soon began to be looked upon rather as a sort of preparatory school for the regular army, than as good for any thing else. During the late war, the militia laws inflicted a very great hardship upon the lower classes. The persons liable to the ballot were partly rich and partly poor; but personal service was not essential, the parties chosen being at liberty either to provide a substitute, or to pay certain sums. In point of fact, therefore, the militia degenerated into a sort of capitation tax; with this oppressive and unjust peculiarity, that it fell with as much severity on the poor as on the rich; so that, while it only imposed a trifling sacrifice on the latter, it often forced the poor man from his home, and compelled him to become a soldier. In consequence, the militia became exceedingly unpopular; and it is not very probable that the hardship and injustice inseparable from it would be again submitted to.

Volunteers, Yeomanry.—In addition to the standing army and the militia, there were embodied, during the late war, very large bodies of volunteers, consisting partly and principally of voluntary infantry (volunteers), and partly of voluntary cavalry, or yeomanry. These were called out each year, and disciplined for three weeks; and, as they consisted entirely of volunteers, and were not called upon to leave their homes, or to quit their ordinary employments, except for the short period they were in quarters, the duty was not found to entail any serious privation. The volunteers were disbanded at the peace; but numerous troops of yeomanry, which is probably the best of that description of force, are still kept up.

According to the muster-rolls in the early part of 1836, the yeomanry force of Great Britain consisted of 338 troops, including 1,155 officers and 18,210 men. The total cost to the public may be estimated at about 100,000*l.* a year.—(*Parl. Paper*, No. 405., Sess. 1836.)

We, however, are firmly impressed with the conviction, that a standing army, constituted by voluntary enlistment, is decidedly superior to any other description of force that can be employed, either to maintain tranquillity at

home, or to carry on war abroad. The benefits of the division of labour are as conspicuous in this as in any other department. To be a good soldier, a man must be nothing else. Militiamen and yeomanry, called only for short periods from their ordinary avocations, never acquire those habits of discipline, and of prompt and willing obedience, that are of the essence of a soldier. They are more than half citizens; and, being actuated by all the partialities and prejudices of the district or sect to which they belong, they always act under a bias, and can with difficulty be kept to the strict line of their duty. A regular soldier has no such partialities: he does what he is ordered, and he does no more. The fear of his being employed to subvert the constitution, and to establish arbitrary government, is too ridiculous to deserve notice; and it would be childish in the extreme, to deny ourselves the great and signal advantages derivable from a standing army when kept within due bounds, from any ridiculous apprehension of its being employed to overthrow that liberty and security of which it is the best support.

Police.—Exclusive of troops, militia, and yeomanry, a police force is kept up in most large towns. This is a description of civil force, maintained for the preservation of good order, and the prevention of crime; the organisation and efficiency of which differs in different places. Its expenses are usually defrayed by a rate laid on the inhabitants of the town or place where it is established. The metropolitan police was newly organised a few years ago; and is now a very effective force. At present it consists, exclusive of commissioners, clerks, &c., of 17 superintendents, 70 inspectors, 342 sergeants, and 2,977 constables or privates. The total expenditure on account of the new police amounted, in 1835, to 208,222*l.* The old system of watchmen is, however, still kept up within what is technically called the city of London. The force employed in it, in 1835, consisted of 453 ordinary watchmen, 65 superintendent watchmen, 91 patrolling watchmen; and 47 beadles; the total expense being 43,863*l.* A horse patrol, consisting of about 70 officers and men, is also kept on foot for the security of the roads in the vicinity of the metropolis.—(*Parl. Paper*, No. 323., Sess. 1836.)

Police, Ireland.—The police or constabulary force of Ireland is armed, and has more of a military than of a civil character. According to recent arrangements, a lord-lieutenant is appointed to each Irish county, through whom all communications to the Irish government are made. The lords-lieutenant are assisted in the discharge of their duties by an indefinite number of deputy lieutenants. All these officers act gratuitously, and are removable at pleasure. The constabulary force amounted, in the early part of the present year (1836), to 4 inspectors general, 10 magistrates, 214 chief constables and sub-inspectors, 1,232 constables, and 6,233 sub-constables; making a total of 7,644 men, maintained at an expense of 314,072*l.* In addition to this permanent force, a temporary police is maintained, under the Peace Preservation Act, in the counties of Clare, Galway, Louth, Limerick, Kilkenny, Queen's, Tipperary, and Wicklow, consisting of 10 magistrates, 9 chief constables, 109 constables, and 492 sub-constables, in all 620 men, at an expense of 31,825*l.* The whole police, therefore, amounts to 8,264 men, maintained at an expense of 345,897*l.* per annum; giving an average of 41*l.* per annum for each man.—(*Parl. Paper*, No. 215., Sess. 1836.)

According to the new act for consolidating and amending the laws relating to the constabulary force, it is to consist of an inspector general and 2 sub-inspectors general, resident in Dublin, empowered to exercise the functions of magistrates in all counties; an inspector for every county, except Cork, Galway, and Tipperary, which are to have 2 each; the like number of sub-inspectors, a chief constable, 2 head constables, and a number of constables and sub-constables (not exceeding 16 for each barony), in every barony; and also a chief constable, two head constables, and a number of constables (not exceeding 100 in each case) to every county of a city and

county of a town, except the city of Dublin. Under this act, therefore, the whole ordinary police of Ireland, except that of Dublin, which is provided for by a separate act, will amount to 6,400 men. The same act gives the Lord-Lieutenant power to appoint an extraordinary number of police officers in places declared to be in a disturbed state, or where the magistrates state such addition to be necessary. The entire force is to be under the special control of the Lord-Lieutenant, who is empowered to make regulations for its direction; and all its members are appointed by him, and are removable at his pleasure.

Sect. II. *Navy.*

The navy of Great Britain has long been her pride and best bulwark. The sea service has always been popular. No one fears that the sailors in the pay of the state will ever be employed to subvert the national liberties; and, not being engaged in the preservation of internal peace and good order, they escape all that suspicion and unpopularity that sometimes attach to the military: they are, in fact, formidable only to our enemies; and our exemption for so long a period from hostile aggression, though partly ascribable to our insular situation, is mainly a consequence of the superiority of our navy. The House of Lords, in an address to Queen Anne, in 1707, laid it down as "a most undoubted maxim, that the honour, security, and wealth of this kingdom does depend upon the protection and encouragement of trade, and the improving and right encouraging its naval strength * * * therefore, we do in the most earnest manner beseech your Majesty, that the sea affairs may always be your first and most peculiar care." And there cannot be a question that, in this instance, the Lords gave utterance to what were then, and have ever since been, the sentiments of the great majority of the nation.

Progress of the Navy.—Notwithstanding the vast naval power of Great Britain in the last and present centuries, the navy did not become formidable till the reign of Elizabeth. Previously to her reign, or that of her father, our sovereigns had but few ships: when they wished to transport an army to France, or to undertake any considerable naval enterprise, it was usually effected by requisitions of ships and seamen from the different seaport towns, which were dismissed as soon as the occasion for their services was over. The naval force collected to oppose the Armada consisted of 176 ships, and about 15,000 men; being a larger armament than had ever been previously brought together under any English commander. But of this fleet, only about 40 ships and 6,000 men belonged to the royal navy; the rest consisting of ships and men furnished by London, Bristol, Yarmouth, the Cinque Ports, &c. At the end of this long and prosperous reign the navy consisted of 42 ships, of different sizes, of the estimated burthen of 17,000 tons, and carrying 8,340 men.

During the pacific reign of James I. the navy, though not neglected, was not materially enlarged. Charles I. added, in the early part of his reign, several ships to the navy; but in 1648 Prince Rupert carried off 26 ships, none of which ever returned to England. So reduced, indeed, was the navy at the commencement of Cromwell's government, that he had only 14 ships of war of two decks, some of them carrying only 40 guns. But his vigorous and able administration speedily raised the navy to a magnitude and power formerly unknown; and, under the command of Blake, it became not merely equal, but superior to that of the Dutch,

then the greatest maritime power of Europe. When greatest, Cromwell's navy consisted of about 150 sail, of which more than 50 had two decks. The seamen employed exceeded 20,000. Cromwell divided the navy into rates and classes, nearly in the same way as at present.

James II., when Duke of York, and afterwards when king, paid much attention to the navy and to naval affairs; and greatly distinguished himself in some desperate engagements with the Dutch. At his abdication the navy amounted to 173 sail, measuring 101,892 tons, and having on board 6,930 guns, and 42,000 seamen.

The famous battle off Cape la Hogue, in 1692, gave the British navy an ascendancy over that of France which it has ever since preserved. It was, besides, materially increased during the reign of William III., being continued nearly on the footing on which he left it during the reigns of Anne and George I. In the wars of 1744 and 1755, our naval enterprises were crowned with the most signal success. In 1760, at the demise of George II., the navy consisted of 412 ships, measuring 321,104 tons; the men voted for the naval service that year being 51,645 seamen, and 18,355 marines. The total sum voted on account of the navy during the same year was 5,611,508*l.*

The progress of the navy since 1760 is familiar to every one. It is sufficient, therefore, to observe, that, though the combined fleets of France and Spain seemed to have an ascendancy during part of the American war, the victories of Rodney restored our previous superiority. The nature of the struggle with revolutionary France, the bitterness with which it was carried on, and the fleets required not merely for the protection of our own shores, but for that of our mereantile shipping, and of our numerous colonies in all parts of the world, led to an immense increase of our naval force; and, while our navy was thus progressively augmented, the decisive victories of the 1st of June, 1794, and of St. Vincent, Camperdown, the Nile, Copenhagen, and Trafalgar, almost destroyed every fleet that could be opposed to it, leaving us the undisputed masters of the ocean.

Rating of Ships. — It is of very considerable importance, in order to insure union in the movements of a fleet, and to facilitate their fitting out and repair, that ships of the same rate or class should not differ materially in size or build from each other: this, however, has been too little attended to. Sir John Barrow mentions, in proof of the inconveniences resulting from the improper rating of ships, that when Lord Nelson was off Cadiz with 17 or 18 sail of the line, he had no fewer than seven different classes of 74-gun ships, each requiring different sized masts, sails, &c.; so that in the event of one of these being disabled, the others could not supply her with stores suitable to her wants! (*Supplement to Encyc. Brit.*, vol. vi. p. 31.)

To obviate these inconveniences, a new classification of shipping was introduced in 1816; and it is now ordered that the Navy shall be rated as follows: —

1. Rated ships, viz.: —
   First Rate. — All three-decked ships.
   Second Rate. — One of his Majesty's yachts, and all two-decked ships, whose war complements consist of 700 men and upwards.
   Third Rate. — His Majesty's other yachts, and all such yachts as may bear the flag or pendant of an admiral or captain superintending one of his Majesty's dock-yards; and all ships whose complements are under 700, and not less than 600.
   Fourth Rate. — Ships whose complements are under 600, and not less than 400.
   Fifth Rate. — Ships whose complements are under 400, and not less than 250.
   Sixth Rate. — Ships under 250.
2. Sloops and bomb-vessels; all such as are commanded by commanders.
3. All other smaller vessels, such as are commanded by lieutenants or inferior officers.*

Ships of the 1st rate carry 100 guns and upwards; those of the 2d rate, 80 and upwards; the 3d rate, from 70 to 80; the 4th rate, from 50 to 70; the 5th rate, from 36 to 50; and the 6th rate, from 24 to 36.

Subjoined is an Account of the Ships in Commission and in Ordinary in 1792, 1815, and 1835.

		1st Rate.	2d.	3d.	4th.	5th.	6th.	Small Vessels, &c.
Ships in commission	1792	-	2	10	5	14	12	81
	1815	1	2	22	5	50	25	113
	1835	1	3	5	8	6	13	156
Ships in ordinary	1792	7	19	102	16	79	30	179
	1815	12	15	173	13	100	80	167
	1835	14	16	50	14	75	13	89

* This table, and several of those that follow, are extracted from the *Navy List*, published by authority. This list contains a great deal of useful and important information; and is, in all respects, as superior as can well be imagined to the Army List. The latter contains little or nothing save an account of the general and field officers, and of the officers of the different regiments.

Navy of Great Britain in 1835.

	1st Rate.	2d.	3d.	4th.	5th.	6th.	Small Vessels.
Ships in commission	1	3	5	8	6	13	136
in ordinary	14	16	50	14	75	13	89
Total ships	15	19	55	22	81	26	225

Number of Seamen and Marines, and Sums voted on account of the Naval Service in 1792, 1815, and 1835.

Years.	Men.	Sums.
		L.
1792	16,000	1,985,182
1815	70,000 for 3 months 90,000 for 10 months	17,032,700
1835	26,500	4,245,723

N. B.—These sums include the *non-effective* as well as the effective services. The expenses of the navy, in 1792, really amounted to 2,561,192*l.*; for, besides the sums voted, 444,710*l.* was added to the navy debt, and an armament, not included in the above, cost 131,000*l.*

Account of the various Items voted on the Navy Estimates for the Year 1835–36.

Description of Items.	Amount.
	L.
Wages to seamen and marines, to ordinary and yard craft	933,054
Victuals for ditto ditto ditto	339,825
Admiralty Office	108,814
Navy Pay Office	22,183
Scientific branch	24,590
His Majesty's establishments at home	118,547
His Majesty's establishments abroad	22,661
Wages to artificers, &c., employed his Majesty's establishments at home	350,612
Wages to artificers, &c., employed in his Majesty's establishments abroad	25,765
Naval stores, &c., for the building and repair of ships, docks, wharfs, &c.	517,385
New works and improvements in the yards, &c.	106,268
Medicines and medical stores	19,515
Miscellaneous services	26,548
Total for the effective service	2,416,300
Half-pay to officers of the navy and royal marines	819,103
Military pensions and allowances	522,695
Civil pensions and allowances	219,625
Total for the naval service	3,977,723
For the Service of other Departments of Government.	
Army and ordnance departments (conveyance of troops, &c.)	169,450
Home department (convict service)	98,550
Grand total	4,245,723

(*Navy Estimates for* 1836-37, p. 2.)

Cost of Building and Repairing Ships.—The expense of building and fitting out ships of war differs widely at different periods: it depends partly on the mode in which they are built, rigged, &c., and partly on the price of timber, iron, canvass, cordage, &c., at the time. The following statement is believed to be nearly accurate, in so far as respects the quantities of timber, canvass, and cordage, required for different classes of ships; but, for the reasons now stated, little or no reliance can be placed on the estimate of their aggregate expense.

Table showing the Loads of Timber, Yards of Canvass, Fathoms of Rope, required for each Rate of Ships of War, with the Expense of their Hull, Mast, Yards, Rigging, &c.

Number of Guns.	Tonnage.	Loads of Timber.	Yards of Canvass.	Fathoms of Rope.	Expense of Hull, Masts, Yards, &c.
					L.
120	2,602	5,880	20,101	39,250	100,394
80	2,279	4,339	20,791	32,400	71,782
74	1,741	3,600	17,434	27,152	64,073
52	1,468	2,372	17,514	28,700	41,355
46	1,063	1,800	12,373	20,728	31,316
28	500	963	8,118	19,031	17,120
Corvette 18	456	624	8,816	19,350	13,037
Brig 18	382	474	6,394	10,709	10,128
10	235	337	4,656	7,335	6,721
Schooner —	183	250	4,540	—	4,975
Cutter —	161	186	4,729	—	4,502

The wear and tear of ships in the navy when afloat, and especially during war, is necessarily very great; but, owing to the prevalence and destructive ravages of the *dry rot* in timber, the waste of ships, even when laid up in ordinary, has sometimes been quite extraordinary: in fact, instances have occurred in which the hulls of new ships have been found so much affected with this disease, that it has been necessary to give them a thorough repair, or almost to rebuild them, before they were in a state to go to sea! Many plans and precautions have been suggested for obviating the influence of this "timber plague;" but their success, though considerable, has been far from complete. Recently, however, Mr. Kyan has discovered a process for preparing timber which the concurrent testimony of the most skilful judges, and a pretty considerable experience, would seem to prove is effectual for the prevention of dry rot. Should such be the case, the advantage will be very great, not merely in the saving of expense in the repair of his Majesty's ships, and of our mercantile navy, but in rendering ships more efficient, and in preventing the destruction of much valuable timber. Subjoined is an account, deduced from the navy estimates, of the cost of building new ships, and of the expense of the repair and of the ordinary wear and tear of his Majesty's ships, from 1800 to 1819, both inclusive.

Estimated Charge for the Building, Repair, and Wear and Tear of Ships, from 1800 to 1820.

Year.	Building.	Repairs.	Ordinary Wear and Tear.	Total each Year.
	L.	*L.*	*L.*	*L.*
1800	339,170	230,960	227,549	857,679
1801	506,290	233,640	227,340	967,770
1802	340,350	319,270	252,040	912,360
1803	422,860	376,790	255,360	1,055,010
1804	406,810	433,500	198,340	1,038,650
1805	644,290	833,970	216,760	1,692,020
1806	1,677,440	238,010	254,750	2,170,230
1807	1,528,970	517,279	271,805	2,318,554
1808	1,561,344	689,054	270,929	2,521,327
1809	1,503,229	679,267	354,214	2,537,210
1810	1,075,754	652,079	358,684	2,084,497
1811	1,301,019	546,958	403,360	2,254,337
1812	1,138,501	447,995	275,316	1,861,815
1813	1,984,772	612,916	432,518	3,030,206
1814	997,038	774,622	450,671	2,112,331
1815	680,089	1,006,762	462,242	2,149,093
1816	615,249	920,082	535,589	2,100,920
1817	569,033	570,244	364,625	1,503,902
1818	664,210	570,750	310,000	1,544,990
1819	763,620	381,810	310,000	1,455,430
Totals	18,721,551	11,087,188	6,412,592	36,171,331

Government of the Navy. — The general direction and control of all affairs connected with the navy is intrusted, under his Majesty, to the Lord High Admiral, or to the commissioners for discharging the functions of that officer. The duties of the Lord High Admiral were formerly judicial as well as administrative; he having not merely to govern the navy, but to preside over a court for adjudging all nautical cases, and for taking cognisance of all offences committed on the high seas. But the judicial are now separated from the other duties of this high functionary, being devolved upon the Judge of the Admiralty Court. — (See *antè*, p. 331.)

From the reign of Queen Anne down to the present time, with the exception of the short period during which his present Majesty, when Duke of Clarence, held the office, the duties of the Lord High Admiral have been discharged by commissioners. These have consisted generally of a first lord, and of four or six junior lords. Civilians may be appointed to these offices; but at least two of the lords are always professional men. But, though assisted by junior lords, practically, all the power and authority of the board is vested in the first lord. We agree with those who contend that this is the best arrangement. It gives that efficiency and consistency to the orders of the board they could hardly be expected to possess were the authority of the different lords equal; and it also produces a greater responsibility and attention to his duties on the part of the first lord. The powers exercised by the Board of Admiralty are very extensive and important. By their orders all ships are built, repaired, fitted for sea, or laid up in ordinary, broken up, or sold; put in commission, or out of commission; armed, stored, and provisioned; employed on the home or on foreign stations. All appointments, or removals of commission and warrant officers, with the exception of masters and surgeons, are

made by them; and all instructions issued for the guidance of their commanders; all promotion in the several ranks emanates from them; all honours bestowed for and without services, and all pensions, gratuities, and superannuations for wounds, infirmities, and long services, are granted on their recommendation. All returns from the Fleet are sent to the Board of Admiralty, and every thing that relates to the discipline and good order of every ship. All orders for the payment of naval monies are issued by the lords commissioners of the Admiralty; and the annual estimate of the expenses of the navy, prepared by them, is laid before Parliament for its sanction. All new inventions and experiments are made by their orders before being introduced into the service; all draughts of ships must be approved by them; all repairs, alterations, and improvements in the dock yards, and all new buildings, of every description, must be submitted for their decision before they are undertaken, &c. — (*Supp. to Ency. Britannica*, art. NAVY.)

There are three gradations of admirals, viz., admirals, vice-admirals, and rear-admirals; and each of these dignities consists of three divisions, distinguished by the colour of their flags. Thus, there are admirals of the red, the white, and the blue squadrons, bearing their respective flags at the main-top-gallant mast-head; vice-admirals of the red, the white, and the blue squadrons, bearing their respective flags at the fore-top-gallant mast-head; and rear-admirals of the red, the white, and the blue squadrons, bearing their respective flags at the mizen-top-gallant mast-head. All admirals, whatever be their rank, take the common title of *flag officers*.

Admirals rank with generals in the army, vice-admirals with lieutenant-generals, and rear-admirals with major-generals. The command of each ship is intrusted to a captain, or to a commander, who has under him a certain number of lieutenants, according to the size of the ship, with a master, purser, midshipmen, gunners, &c. A post-captain of three years' standing ranks with a colonel in the army, and a post-captain of less than three years' standing with a lieutenant-colonel; a commander ranks with a major, and a lieutenant with a captain. The captain is responsible for the discipline and efficiency of the crew, and the good order of the ship. Notwithstanding he is furnished with minute instructions for his guidance in every particular, much must always necessarily depend on his conduct and character. He has power to order punishment to be inflicted; but it must be done in the presence of all the officers and ship's company. An account, stating all the circumstances, must also be entered in the ship's log, an abstract of which is forwarded each quarter to the Admiralty. This regulation has tended to repress hasty and inconsiderate punishment; and has done much to improve the conduct of the officers, as well as to promote the proper discipline of the navy.

Appointment of officers. — Young gentlemen enter the service as volunteers of the 1st class; and every officer, commissioning a ship, is allowed to make *one* fresh entry. A volunteer must remain two complete years in that capacity, and attain the age of fourteen, before he can be rated a midshipman; when he has completed six years' service, and attained the age of nineteen, he may be examined in seamanship, and also in navigation, for the rank of lieutenant; and should he pass such examinations, he is eligible to hold a warrant as mate, if his conduct be satisfactory to his captain.

Young gentlemen may also enter the service by becoming students at the Naval College at Portsmouth: the regulations as to which are set forth in the Navy List.

No person can receive a commission as lieutenant unless he have passed both the above examinations; but having done so, he is eligible for promotion to that rank. A lieutenant is not eligible for a commander's commission till he have served two years at sea in a ship of war as lieutenant; nor is a commander eligible for a captain's commission till he have served one complete year at sea in a ship of war as commander.

In 1830 a temporary restriction was placed on promotions by a minute of the Admiralty Board. This limited the promotion of officers to the rank of captain, and all below that rank, to filling up one in three vacancies on the list, with the exceptions, viz., 1st, of death vacancies on foreign stations, which the commanders-in-chief have authority to fill up; 2d, the reservation to the Admiralty of power to promote for special or brilliant services; 3d, of the occasion of a commander-in-chief striking his flag; and 4th, on the recommendation of the Board of Customs for services in the coast guard.

Captains and admirals are promoted by seniority, on what is termed a "flag promotion" taking place; but a captain must have served as under, in command of a rated ship, before he can obtain his flag; viz.,

In war	4 years.
In war and peace combined	5 ——
In peace	6 ——

All other classes of officers are promoted at the discretion of the Board of Admiralty.

Enrolment of seamen. — Any person may enter the navy as a common seaman, on application to the commanding officer of any of his Majesty's ships in commission, provided he be approved by the examining surgeon, and have not previously been "discharged from the service with disgrace."

Persons who have never been at sea are rated as landsmen, and seafaring men are rated as "ordinary" or "able" seamen, besides numerous gradations of petty officers to which they are rated at the discretion of the commanding officer.

Seamen are also obtained for the navy at the breaking out of a war, or on any other emergency, by the practice of *impressment*. The antiquity and legality of this practice cannot be questioned; but very great and serious doubts have been, and may be, entertained as to its expediency. * Foreigners are the only persons exempted at common law from impressment; but exemptions have been created by acts of parliament in favour of various classes, as landsmen, apprentices, foreigners, seamen employed in the fisheries, watermen in the service of fire insurance companies, &c.

Marines. — Privates are received into the marine corps from 18 to 25 years of age, provided they be 5 feet 7½ inches high, and approved on examination by the surgeon.

Discipline of the Navy. — The rules and provisions for the enforcement of discipline and good order in the navy, are embodied in an act of the 22 Geo. II., explained and amended by an act of the 19 Geo. III. These acts form what may be called the martial law of the navy; and to them we beg to refer the reader for an account of the penalties imposed on cowardice, neglect of duty, &c.

Pay, &c., of officers and men. — Full pay differs not only according to the department of the service to which officers and men are attached, but also, in some instances, according to the rate of the ship on board which they are serving. The following table exhibits the number and nett sea-pay of the commissioned, warrant, petty, and non-commissioned officers, and of every description of seamen and marines on board each class of his Majesty's ships, when on the full war establishment. (See Table on pages 564, 565.)

Pay of Flag Officers, Surgeons, &c. —

	L.	s.	d.	
Admiral of the Fleet	6	0	0	Sea pay per diem, besides which every commander-in-chief shall receive a further sum of 3l. per diem, while his flag shall be flying within the limits of his station.
Admiral	5	0	0	
Vice Admiral	4	0	0	
Rear Admiral, or commodore of the first class	3	0	0	
Captain of the Fleet				

In flag ships all the lieutenants (including one extra as flag lieutenant) are allowed 6d. per diem in addition to their pay.

	L.	s.	d.	
Physician of the fleet of less than three years' service as such	1	1	0	per diem.
Physician of the fleet of more than three, and less than ten years' service	1	11	6	—
Physician of the fleet of more than ten years' service	2	2	0	—
Master of the fleet	15	7	0	per mens.
Secretary to the admiral of the fleet	38	7	0	—
Secretary to an admiral, commander-in-chief	30	13	8	—
Secretary to a vice or rear admiral, commander-in-chief	23	0	4	—
Secretary to a junior flag officer or commodore	11	18	0	—
Two clerks to secretaries of commanders-in-chief, each	4	14	0	—
One clerk to secretaries of junior flag officers or commodores	3	18	8	—
Admiral's coxswain	2	11	0	—
Admiral's steward, Admiral's cook, Admiral's domestics	1	14	0	—

Surgeons shall be paid in all rates according to their length of service (including not more than three years' time as an Assistant Surgeon, or Hospital Mate), viz. —

	Per diem. L.	s.	d.		Per diem. L.	s.	d.
Surgeons of less than six years' service	0	10	0	Surgeons of more than twenty years' service	0	15	0
Surgeons of more than six and less than ten years' service	0	11	0	Surgeons of hospital ships of whatever length of service	0	15	0
Surgeons of more than ten and less than twenty years' service	0	14	0				

* For remarks on the policy of impressment, and the propriety of its abolition, see the note on Impressment in M'Culloch's edition of the *Wealth of Nations*.

Half pay of officers. — This is as follows: —

Rates of Half Pay for the Navy and Marines.

	Per Diem. L. s. d.
Flag Officers.	
Admirals of the Fleet	5 5 0
Admirals	2 2 0
Vice Admirals	1 12 6
Rear Admirals	1 5 0
Captains.	
To each of the first 100 as they stand on the general list of officers in seniority	0 14 6
To each of the next 150	0 12 6
To the rest	0 10 6
Commanders.	
To each of the first 150 on the list	0 10 0
To the remainder	0 8 6
Lieutenants.	
To each of the first 300 on the list	0 7 0
To each of the next 700	0 6 0
To the remainder	0 5 0
Royal Marines.	
Colonels	0 14 6
Lieutenant Colonels	0 11 0
Majors	0 9 6
Captains	0 7 0
First Lieutenants of seven years' standing	0 4 6
The rest	0 4 0
Second Lieutenants	0 3 0
Masters.	
To the first 100 on the list (being qualified for first or second rates)	0 7 0
Masters — (continued.)	
To the next 200 (being qualified for third or fourth rates)	0 6 0
The remainder having served five years in the navy, two of which as acting or second master, or as master's mate or midshipman	0 5 0
Medical Officers.	
Physicians — After ten years' service	1 1 0
three years'	0 15 0
Under that time	0 10 6
Surgeons.	
Six years' service	0 6 0
Under that time	0 5 0
Assistant Surgeons.	
Three years' service	0 3 0
Two years'	0 2 0
Dispensers	0 5 0
Chaplains.	
After eight years' service at sea, or ten in harbour	0 5 0
For each year's longer service than eight at sea or ten in harbour, 6*d.* per diem additional till it reach	0 10 0
Pursers.	
To the first 100 on the list	0 5 0
next 200	0 4 0
The remainder	0 3 0
Payable Quarterly.	

The number of the officers who participated in this half pay, and the gross sums assigned to each class in 1835-36, were as under: —

Description.	Number.	Half Pay. £.
Commissioned officers, masters, and chaplains	4,285	610,720
Medical officers	655	70,682
Pursers	495	35,379
Marine officers	418	35,140
Retired naval officers	326	53,846
Retired marine officers	74	15,336
Totals	6,251	£819,103

The widows of officers are also entitled to the following pensions: —

	Per ann. L.
Flag officer of his Majesty's fleet	140
Superannuated rear admiral	100
Captain of three years' standing	90
Captain under three years' standing	80
Commander	70
Superannuated commander	60
Physician of a hospital, or of the fleet	60
Lieutenant	50
Master	40
Chaplain	40
Surgeon	40
Purser	40
Assistant-surgeon	36

The widows of boatswains, gunners, and carpenters of the royal navy, and masters of naval vessels warranted by the navy board, appointed prior to the 30th of June, 1830, will, if otherwise qualified, be entitled to pensions of 25*l.*: but no widow of any of the above-named warrant officers, who shall have been warranted after that date, shall have any claim whatever to a pension.

Half pay and pensions of petty officers and men. — None but the officers mentioned above are entitled to half pay. Boatswains, gunners, carpenters, &c., on their ships being paid off, are put on what is called "ordinary pay," which is about two thirds of sea pay. In the navy, as in the army, provision has been made for such seamen and marines as have been disabled in service. Thus all petty officers, and all seamen and marines discharged the service for wounds received *in action*, are entitled to annual pensions, varying according to the rank of the party and the severity of the wound. Able seamen and marines discharged under 14 years' service, in consequence of sickness or disability contracted in the service, are not, of right, entitled to pensions; but such may be awarded them, should the Admiralty think it expedient. Able seamen and marines who have served at least 14 years, and are discharged in consequence of sickness or disability contracted in the service, or for accidental hurts or wounds received in it, are entitled, if they be otherwise deserving objects of relief, to certain pensions; and pensions are also given to all seamen and marines discharged after 21 years' service, *for any cause* other than misconduct.

N. B. — The conditions under which these pensions are granted, and their amounts, are set forth in an order in council, dated 24th of August, 1831, which may be seen in the Navy List.

Nett Sea Pay and Number of Naval and Marine Officers and Men in H.M. Ships during War.

Ranks and Ratings.	First Rate. — Pay per Mensem.				Second Rate. — Pay per Mensem.				Third Rate. — Pay per Mensem.				Fourth Rate. — Pay per Mensem.				Fifth Rate. — Pay per Mensem.				Sixth Rate. — Pay per Mensem.				Sloops. 100 Men and upwards. — Pay per Mensem.				Sloops. Under 100 Men. — Pay per Mensem.				Bombs. — Pay per Mensem.				Gun Brigs, Schooners, and Cutters. — Pay per Mensem.			
	No.	L.	s.	d.	No.	L.	s.	d.	No.	L.	s.	d.	No.	L.	s.	d.	No.	L.	s.	d.	No.	L.	s.	d.	No.	L.	s.	d.	No.	L.	s.	d.	No.	L.	s.	d.	No.	L.	s.	d.
Captain	1	61	7	4	1	53	14	0	1	46	0	8	1	38	7	0	1	30	13	8	1	26	17	0	-	-	-	-	-	-	-	-	1	23	0	4				
Commander	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	23	0	4	-	-	-	-	-	-	-	-
First lieutenant of seven years' standing	8	11	10	0	7	11	10	0	6	11	10	0	5	9	4	0	4	9	4	0	3	9	4	0	2	9	4	0	2	9	4	0	2	9	4	0	1	11	10	0
All other lieutenants		9	4	0		9	4	0		9	4	0	1	10	14	8	1	9	4	0	1	8	8	8	1	7	13	4	1	7	13	4	1	7	13	4	1	7	18	4
Master	1	13	0	8	1	12	5	4	1	11	10	0	1	12	5	4	1	12	5	4	1	12	5	4																
Chaplain	1	12	5	4	1	12	5	4	1	12	5	4																												
Surgeon	1	as above			1	-	-	-	1	-	-	-	1	-	-	-	1	-	-	-	1	-	-	-	1	12	5	4	1	12	5	4	1	12	5	4				
Purser	1	7	0	0	1	7	0	0	1	7	0	0	1	7	0	0	1	7	0	0	1	7	0	0	1	7	0	0	1	7	0	0	1	7	0	0				
Second master	1	5	9	4	1	5	9	4	1	5	9	4	1	5	9	4	1	4	14	0	1	4	14	0																
Assistant surgeon	3	9	4	0	3	9	4	0	2	9	4	0	2	9	4	0	1	9	4	0	1	9	4	0	1	9	4	0	1	9	4	0	1	9	4	0	1	9	4	0
Gunner	1				1				1				1				1				1				1				1											
Boatswain	1	7	15	4	1	7	0	0	1	6	4	8	1	5	9	4	1	5	1	8	1	4	14	0	1	4	14	0	1	4	14	0	1	4	14	0				
Carpenter, with 7s. per mensem additional for tools in every rate	1				1				1				1				1				1				1				1											
Mate	24	3	18	8	20	3	18	8	16	3	18	8	10	3	18	8	8	3	18	8	6	3	18	0	2	3	18	8	2	3	18	8	1	3	18	8	1	3	18	0
Midshipman		2	8	0		2	8	0		2	8	0		2	8	0		2	8	0		2	8	0		2	8	0		2	8	0		2	8	0	1	2	8	0
Master's assistant	6	3	11	0	6	3	11	0	6	3	11	0	4	3	11	0	4	3	11	0	4	3	11	0	2	3	11	0	2	3	11	0	2	3	11	0	1	3	11	0
Schoolmaster	1	4	14	0	1	4	6	4	1	4	6	4	1	3	18	8	1	3	11	0	1	3	11	0																
Clerk	1	4	14	0	1	4	6	4	1	4	6	4	1	3	18	8	1	3	11	0	1	3	11	0	1	3	11	0	1	3	11	0	1	3	11	0	1	3	11	0
Master at arms	1	2	12	0	1	2	10	0	1	2	8	6	1	2	6	0	1	2	4	0	1	2	2	0																
Admiral's coxswain	-	as above			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ship's corporal	2				2				2				2				2				1				1				1											
Captain's coxswain	1				1				1				1				1				1				1				1											
Quarter master	12				12				9				6				5				3	1	17	0	3	1	17	0	2	1	17	0	2	1	17	0	1	1	17	0
Gunner's mate	5	2	6	0	4	2	5	0	3	2	3	0	2	2	1	0	2	1	19	0	2				2				2				1				1	1	17	0
Boatswain's mate	8				7				6				4				3				2				2				1											
Captain of forecastle	3				3				3				2				2																							
Captain of the hold	1				1				1				1				1																							
Coxswain of the launch	1	2	13	6	1	2	13	6	1	2	13	6	1	2	13	6	1	2	13	6	1	2	12	6	1	2	12	6	1	2	12	6	1	2	12	6	1	2	12	6
Ship's cook	1				1				1				1				1				1				1				1								1	2	1	0
Sail maker	1				1				1				1				1				1																			
Rope maker	1				1				1				1				1				1				1				1											
Carpenter's mate, with 7s. per mensem additional for tools in every rate	2	2	12	0	2	2	10	0	2	2	8	0	2	2	6	0	2	2	4	0	1	2	2	0	1	2	1	0	1	2	1	0	1	2	1	0				
Caulker	1				1				1				1				1				1				1				1											
Armourer	3				3				2				2				2				2				2				1	1	16	0								
Captain of the maintop	3				3				2				2				2				1				1															
Captain of the foretop	3				3				2				2				2																							
Captain of the mast	3				3				2																															
Captain of the after-guard	3	2	1	0	3	2	0	0	3	1	19	0	2	1	18	0	2	1	17	0	2	1	17	0	2	1	16	0	1	1	16	0								
Yeoman of signals	1				1				1				1				1																							
Coxswain of the pinnace	1				1				1				1				1																							
Sailmaker's mate	1				1				1				1																											
Caulker's mate	1				1				1				1																											
Armourer's mate	2	2	6	0	2	2	5	0	2	2	3	0	1	2	1	0	1	1	19	0	1	1	17	0	1	1	17	0	1	1	17	0	1	1	17	0	1	1	17	0
Cooper	1				1				1																															
Volunteer of the first class	8	1	2	0	7	1	2	0	6	1	2	0	4	1	2	0	4	1	2	0	3	1	2	0	3	1	2	0	2	1	2	0	1	1	2	0	1	1	2	0
Volunteer of the second class	4	1	12	0	4	1	12	0	4	1	12	0	3	1	12	0	3	1	12	3	2	1	12	0	2	1	12	0	2	1	12	0	1	1	12	0	1	1	12	0

First Class Petty Officers.

Second Class Petty Officers.

	No.	L. s. d.	No.	L. s. d.	No.	L. s. d.	No.	L. s. d.	No.	L. s. d.	No.	L. s. d.	No.	L. s. d.	No.	L. s. d.	No.	L. s. d.	No.	L. s. d.
Gunner's crew	25	- - -	22	- - -	20	- - -	13	- - -	10	- - -	8	- - -	6	- - -	4	- - -	1	1 16 0	2	1 16 0
Carpenter's crew, with 7s. per mensem additonal for tools in every rate	18	1 16 0	16	1 16 0	14	1 16 0	12	1 16 0	8	1 16 0	6	1 16 0	4	1 16 0	2	1 16 0				
Sailmaker's crew	2	- - -	2	- - -	2	- - -	2	- - -	1	- - -	1	- - -	1	- - -	1	- - -				
Cooper's crew	2	- - -	2	- - -	2	- - -	2	- - -	1	- - -	1	- - -	1	- - -	1	- - -				
Able seamen	-	1 14 0 - in all rates	-	-	-	-	-	-	First rates	1st Class - - - 529									900	
Yeomen of store-room	-		-	-	-	-	-	-		2d Class - - - 479									850	
Ordinary seaman	-		-	-	-	-	-	-	Second rates	3d Class - - - 429									800	
										1st Class - - - 356									700	
Cook's mate	-	1 6 0 - in all rates	-	-	-	-	-	-		2d Class - - - 306									650	
Barber									Third rates	1st Class - - - 351									650	
Purser's steward, in vessels in which a purser is allowed										2d Class - - - 301									600	
									Fourth rates	1st Class - - - 259									450	
Captain's steward	-	1 14 0 - in all rates	-	-	-	-	-	-		2d Class - - - 159									350	
Captain's cook									Fifth rates	1st Class - - - 139									300	
Ward or gun-room steward										2d Class - - - 119									280	
Ward or gun-room cook									Sixth rates	1st Class - - - 59									175	
Steward's mate	-	1 3 0 - in all rates	-	-	-	-	-	-		2d Class - - - 29									145	
Landman										3d Class - - - 9									125	
										1st Class - - - 47									135	
										2d Class - - - 37									125	
									Sloops	3d Class - - - 33									95	
										4th Class - - - 13									75	
									Bombs	- - - 16									67	
									Brigs, &c.	1st Class - - - 27									60	
										2d Class - - - 17									50	
Boy first class	13	0 14 3	12	0 14 3	10	0 14 3	7	0 14 3	6	0 14 3	5	0 14 3	4	0 14 3	2	0 14 3	-	- - -	1	0 14 3
Boy second class	18	0 12 9	17	0 12 9	16	0 12 9	11	0 12 9	10	0 12 9	9	0 12 9	6	0 12 9	2	0 12 9	5	0 12 9	2	0 12 9
									3	1 14 0	2	1 14 0	1	1 14 0	1	1 14 0	1	1 14 0		
Total	211	- - -	194	- - -	174	- - -	131	- - -	111	- - -	91	- - -	68	- - -	50	- - -	37	- - -	21	
ROYAL MARINES.*																				
Captain	1	14 14 0	1	14 14 0	1	14 14 0	1	14 14 0	-	- - -	-	- - -	-	- - -	-	- - -	-	- - -	-	- - -
— if brevet major		17 10 0		17 10 0		17 10 0		17 10 0												
First lieutenant																				
— after 7 years	3	10 10 0	3	10 10 0	2	10 10 0	1	10 10 0	2	10 10 0	1	10 10 0	-	- - -	-	- - -	1	10 19 4		
— under 7 years		9 1 0		9 2 0		9 2 0		9 2 0		9 2 0		9 2 0						9 11 4		
Second lieutenant		7 7 0		7 7 0		7 7 0		7 7 0		7 7 0		7 7 0						7 16 4		
Serjeant	4	2 0 11	3	2 0 11	3	2 0 11	2	2 0 11	2	2 0 11	1	2 0 11	1	2 0 11	1	2 0 11	1	2 12 8½	1	2 0 1
— if colour serjeant		2 14 1½		2 14 1½		2 14 1½		2 14 1½		2 14 1½		2 14 1½		2 14 1½		2 14 1½		3 6 8½		2 14 0
Corporal																				
— after 14 years		1 12 1		1 12 1		1 12 1		1 12 1		1 12 1		1 12 1		1 12 1		1 12 1		2 8 0		1 12 1
— from 7 to 14 years, (if enlisted prior to 24th January, 1823)	4	1 9 9	3	1 9 9	3	1 9 9	2	1 9 9	1	1 9 9	1	1 9 9	1	1 9 9	1	1 9 9	1	2 5 8	1	1 9 9
— all others		1 7 5		1 7 5		1 7 5		1 7 5		1 7 5		1 7 5		1 7 5		1 7 5		2 3 4		1 7 5
Drummer	2	1 3 4	2	1 3 4	2	1 3 4	1	1 3 4	1	1 3 4	-	1 3 4	1	1 3 4	-	- - -	-	1 5 8		
Bombardier																				
— after 14 years																		2 4 0		
— from 7 to 14 years, (if enlisted prior to 24th January, 1823)	-	- - -	-	- - -	-	- - -	-	- - -	-	- - -	-	- - -	-	- - -	-	- - -	1	2 1 8		
— all others																		1 19 4		
Private or gunner																				
— after 14 years		1 4 1		1 4 1		1 4 1		1 4 1		1 4 1		1 4 1		1 4 1		1 4 1		1 8 10		1 4 1
— from 7 to 14 years, (if enlisted prior to 24th January, 1823)	146		138		114		53		44		21		17		10		10		10	
— all others		1 1 9 0 19 5		1 1 9 0 19 5		1 1 9 0 19 5		1 1 9 0 19 5		1 1 9 0 12 5		1 1 9 0 19 5		1 1 9 0 19 5		1 1 9 0 19 5		1 6 6 1 4 2		1 1 9 0 19 5
Total marines	160	- - -	150	- - -	125	- - -	60	- - -	50	- - -	25	- - -	20	- - -	12	- - -	14	- - -	12	

* The pay under the head of Bombs is that of the Marine Artillery, and is what they are to receive when embarked in any ship.

Pensioners are divided into the two great classes of *in* and *out* pensioners of Greenwich Hospital. This magnificent building, formerly a royal palace, was appropriated in the reign of William III. to its present purpose of serving as an asylum for seamen "who, by age, wounds, or other accidents," have become unfit for further service. The building has since been greatly enlarged and improved; and is now the finest, in an architectural point of view, in the neighbourhood of the metropolis. The *in*-pensioners live in the hospital; the revenues of which are derived from various sources, but principally from the forfeited estates of the Earl of Derwentwater, and from a contribution of 6*d.* a month deducted from the pay of all seamen employed in his Majesty's service. Merchant seamen were obliged, until lately, to make a similar contribution; but this having been much objected to, has been given up. The number of in-pensioners on the establishment amounted, in 1830, to 2,710, and has not, we believe, materially varied in the interval. The revenue of the hospital being all required for the support of the establishment and of the in-pensioners, the out-pensioners are provided for by an annual parliamentary grant. This amounted in 1835-36 to 245,000*l.*; and supposing that each pensioner receives, at an average, 11*l.* a year, this would give a total of 22,272.

Health of seamen.—The most laudable attention is paid in the navy, not to the discipline merely, but also to the health and comfort, of the men. They are liberally supplied with provisions and grog; and are much less exposed to fatigue, privations, and the risk of shipwreck, than the crews of merchant ships. Formerly the crews of all ships bound on long voyages, or which could not be regularly supplied with fresh provisions, were liable to suffer dreadfully from the scurvy. But this disease can no longer be said to exist in the navy. That the use of citric acid or lemon juice was a specific against the attacks of this disease, had been ascertained so early as 1600; but the experiment made little impression at the time, and was forgotten till public attention was again called to it, in 1757, by the justly celebrated Dr. Lind. At length, after successive experiments had demonstrated its efficacy, it was ordered, in 1795, that no ship should be allowed to sail on a long voyage without an ample supply of lemon juice, an allowance of which is regularly served out to the men. Since this period, scurvy may be said to be almost banished from the list of diseases incident to seafaring men. In proof of the efficacy of this specific, we may mention that during the blockade of Brest by Lord St. Vincent, from the 27th of May to the 26th of December, 1800, only 16 out of the 16,000 men in the fleet under his lordship's command were sent to the hospital during this whole period, though they had only ordinary ships' provisions.—(Art. NAVY, *Supp. to Ency. Britannica.*)

"From the official returns," says Sir John Barrow, "collected by Sir Gilbert Blane, M. Dupin, a French author, well versed in naval subjects, has drawn out the following table, which exhibits, at one view, the progressive diminution of sickness, death, and desertion, in the British navy, calculated on 100,000 men.

Years.	Sent sick to Hospital.	Deaths.	Desertions.
1779	40,815	2,654	1,424
1782	31,617	2,222	993
1794	25,027	1,164	662
1804	11,978	1,606	214
1813	9,336	698	10

"Hence it would appear that the diminution of sick and of deaths has been in the proportion of 4 to 1 nearly, between the years 1779 and 1813. The diminution of desertions from the hospital in the same period is not less remarkable; and it affords, at the same time, the strongest proof of the progressive amelioration of the condition of seamen on board British ships of war. Indeed, whether on board ship, or in any of these noble institutions, the naval hospitals, which are established at all the principal ports at home, and in the colonies abroad, the attention that is paid to the sick sailor is above all praise. The seamen are sensible of this, and nothing keeps them back from volunteering their services, and from giving a preference to a king's ship over a merchantman, but the temptation of high wages offered by the latter in time of war, and that love of liberty and free scope for roving which are characteristic of seamen."—(Art. NAVY, *Supp. to Ency. Britannica.*)

CHAPTER IV. — VITAL STATISTICS; OR, THE STATISTICS OF HEALTH, SICKNESS, DISEASES, AND DEATH.

To exhibit the sanatory state of the British population as accurately as existing materials permit, we shall severally examine the mortality, the sickness, the endemics, the prevailing forms of disease, and the various ways in which, at all ages, its successive generations perish.

Man's existence may terminate at any instant between 0 and 100 years: it may be a constant process of disease, or remain uninterrupted by a day's sickness. On opening a watch, or any piece of mechanism, and observing the state of its springs, chains, or wheels, it is not difficult to foresee how long its movements will continue; but no one, contemplating a solitary individual of the human species, and ignorant of the secret sources of his life, as well as of the many conjunctures of external circumstances in which he may be placed, can foretel the period when some mortal derangement will occur in his organisation, what diseases he will encounter, how long he will suffer, or the hour when his sufferings and his existence will end. The same uncertainty is extended in the popular thought to families, nations, and mankind, considered in collective masses; but observation proves that generations succeed each other, develope their energies, are afflicted with sickness, and waste in the procession of their life, according to fixed laws; that the mortality and sickness of a people are constant in the same circumstances, or only revolve through a prescribed cycle, varying as the causes favourable or unfavourable to health preponderate.

The physiological changes in the human body intimate that it was formed to continue in healthy action 70 or 80 years: yet owing to hereditary weakness, or a vicious tendency, and the imperfect adaptation of parts of the external world to its organisation, a certain number of every generation fall sick, and of these a certain number die at all ages: in such a ratio, however, that from birth to the age of puberty the sickness and mortality decline; while from puberty they increase slowly, but in a geometrical progression, up to the 50th or 60th year, and then more rapidly to the end. In comparing, therefore, the sanatory state of different nations, it is not enough to know the absolute mortality or sickness to which they are subject; as experience has proved that these may be nearly the same, yet, from their bearing differently on the periods of childhood, manhood, or old age, have a very different effect on the national strength and resources.

From observations to which we shall again have occasion to recur, it appears that in manhood, when 1 person in 100 dies annually, 2 are constantly sick; and although this exact relation is, perhaps, not preserved in infancy and old age, or where the rate of mortality deviates much from the standard, it may be safely assumed as a near approximation to the truth. Admitting, then, that the annual mortality is 2·13 per cent. after the corrected returns, and that the population of England and Wales is 14,000,000, the total number constantly disabled by sickness will at least amount to 600,000 persons; and if the same proportions be extended to Scotland and Ireland, to 1,130,000. This reduces the efficient population of the empire 1-23d part; and the productive power, so far as it depends on human labour, 1-17th part, if the maintenance and attendance of the sick cost half the produce of their labour in health*; but an example will show that it would be erroneous to suppose that two populations, in which the same absolute proportion of sick existed, suffered consequently to an equal extent. A third of the registered deaths occur below 5 years of age, yet the mortality in England has latterly (1819–30) not been more than 49·7 per 1,000: in Sweden it was (1755–75) 90·1 per 1,000; and it is probable that at the same period the mortality of infants in England was not

* In the English provincial hospitals the maintenance and the drugs administered to each patient cost 1*s.* 5*d.* daily; in Paris 1*s.* 5½*d.*; in London considerably more. — (*British Medical Almanac*, p. 118.)

a great deal lower than in Sweden: so that, if sickness have diminished at the same rate, the proportion of infants constantly ill is not half so great as it was a century ago. But children being entirely helpless, and in no way contributing to the nation's actual strength, a diminution of sickness among them, however desirable, adds little immediately to national power and happiness, compared with an improvement in the health of adults, between the ages of 15 and 70 years, such as has been observed in London since the 16th century, when the destructive epidemics ceased.

The magnitude of the subject, and the fact that more than a million of the inhabitants of the United Kingdom are disabled by disease and suffering, is of less importance than the consideration that their condition may be ameliorated to an immeasurable extent. In one class of English counties the mortality of males below 5 years of age is still 81·9 per 1,000, in others 41·9; and between the ages of 15 and 60 it varies from 11·0 to 19·0; implying a difference of 16 per 1,000 in the sickness: so that, if the health of the entire 13¼ millions now between the ages of 15 and 60, in these islands, were as good as that enjoyed by the inhabitants of some counties, the numbers constantly sick would not be so numerous by 554,000 as if the standard of health were reduced to that obtaining in the more insalubrious districts. In the one case, the mean number sick would be 773,300; in the other, 1,336,000. Whether it be possible or not to raise the standard of health to the height enjoyed in the former counties, or to one still higher, the importance of the subject recommends it to a careful experimental investigation; because, when the character and causes of our diseases are known, some provision may be made for their alleviation: the extent of the injuries they inflict on the public will be determined; and the standard of salubrity, indicating an increase or diminution of physical strength, will afford the best index of the prosperity of the nation, and of the extent to which it is affected by atmospherical, political, or economical influences. Without an accurate acquaintaintance with their sanatory state, and the agents by which it is influenced, how can the Poor Law Commissioners deal advantageously with the mass of paupers placed at their disposal?

Mortality. — The general question of population has already been examined, and requires no further notice; but the deaths at different ages are so closely connected with health and with the great apparent changes in the diseases of this country, that we shall here present a comparative view of the rate of mortality that prevailed in England, Carlisle, Belgium, and Sweden, from an article by Mr. Edmonds, in the *British Medical Almanac* for 1836.

I. Table showing, in each of Thirteen Intervals of Age, the Number of Deaths which occur annually for every 1,000 Persons, living at the same Age, in England, Sweden, and Belgium.

Between Ages.	England and Wales.					Carlisle.	Belgium.	Sweden.	
	Females, 7 Years, 1818-24.			18 Years, 1813-30.		9 Years, 1779-87.	1829, both Sexes.	21 Years, 1755-75, both Sexes.	20 Years, 1776-95, both Sexes.
	Living in 1821.	Dying in 7 Years.	Annual Deaths per 1,000.	Males.	Females.				
0 and 5	774,689	239,182	45·6	53·5	46.0	82·3	65·8	90·1	85·0
5 — 10	682,457	30,173	6·5	7·2	6·7	10·2	8·7	14·2	13·6
10 — 15	569,566	20,244	5·5	5·0	5·2	5·0	5·4	6·6	6·2
15 — 20	535,569	27,391	7·6	7·2	7·6	6·8	6·6	7·6	7·0
20 — 30	901,338	61,701	10·1	10·1	10·4	7·5	9·1	9·2	8·9
30 — 40	649,507	53,447	12·1	11·4	12·4	10·6	10·0	12·2	11·6
40 — 50	500,977	50,344	14·8	14·9	14·9	14·5	13·6	17·4	16·1
50 — 60	352,160	49,871	20·8	23·4	21·6	18·3	21·7	26·4	23·9
60 — 70	249,184	67,918	40·2	45·3	41·2	41·2	38·5	48·1	49·3
70 — 80	124,648	50,153	94·9	101·2	96·5	83·0	90·9	109·3	101·1
80 — 90	36,315	22,318	212·7	227·1	214·6	175·6	178·8	207·8	197·4
90 — 100	3,280	6,169	367·8	370·1	371·9	284·4	301·7	394·1	351·3
Above 100	129	512	586·1	611·1	560·6				
Ages specified	5,379,619	741,348	20·3	21·7	20·7	25·0	22·7	28·9	26·8
Ages omitted	765,090	27,157							
Total enumerated	6,144,709	768,505							
Estimated omission		106,780							

Here it appears that the mortality of the whole English population, between the ages of 20 and 40, was higher than in Belgium and Sweden, while the mortality in early life was much lower; and if the Carlisle observations ever approximatively represented the mortality of England, the waste of life in the 5 years of infancy has almost diminished one half during the last 100 years. Other observations support this probability. The method pursued in obtaining the following results is unexceptionable, and demonstrates that for the last century the mortality of children in London has constantly been on the decline.

II. Table showing the Births and the Deaths under 5 Years of Age, according to the "London Bills of Mortality" for 100 Years, in 5 Periods of 20 Years each; also showing the Number dying under 5 Years out of 100 born.*

	1730-49.	1750-69.	1770-89.	1790-1809.	1810-29.
Total births - - - - -	315,456	307,395	349,477	386,393	477,910
Total deaths under 5 years - -	235,087	193,694	180,058	159,571	151,794
Dying per cent. under 5 years - -	74·5	63·0	51·5	41·3	31·8

In the 20 years, 1730–49, out of 100 born, 74·5 died under the age of 5 years. During the 20 years, 1810–29, only 31·8 died out of the same number. This table is from a paper of Mr. Edmonds, to whose admirable investigations of the English population returns we shall have frequently to refer.

If half the children formerly cut off at an early age in England be now reared, and form part of the adult population; while the annual deaths between 20 and 30, instead of being 7·6, or 9·1, or 8·9 per 1,000, as in Carlisle, Belgium, and Sweden, are 10·1; it will appear that a vast number of weakly children are every year introduced into the English population, and that, unless proper means are taken to fortify the constitution in manhood, the relative vigour will not increase in the same ratio as the population.

Contrary to the Swedish observations, the mortality of females between the ages of 10 and 40 is higher than that of males: it is only in childhood, and after the 50th year, that the mortality of females is lower than that of males. This will correct some very exaggerated notions of the duration of female life, founded on tables of annuitants, by Mr. Finlaison, in which the disturbing influences of selection, and of the age at which the annuitants entered, was not properly taken into account.

The extent to which at 5 intervals of age the mortality, and consequently the intensity of disease, differs in the English counties, is exhibited in the subsequent table (III.), calculated by Mr. Edmonds, on the ascertained ages of the living in 1821, and the deaths during the 18 years, 1813–30. The counties are arranged chiefly according to the rate of mortality among females between the ages of 15 and 60 years. Mr. Edmonds conceived that the mortality of males at the same interval of age would not serve as a good index of the healthfulness of a locality, unless we could abstract the detrimental effect of their occupations, leading to fatal accidents or to loss of health. In many counties, also, the amount of the military and maritime population (which was not enumerated) diminishes considerably the value of the apparent mortality of the male sex.† (See Table III. next page).

We leave to the reader to investigate the causes which increase or diminish mortality in the several counties, and to compare their geological, botanical, meteorological, and economical states, with this table. It will be observed, that the healthiness of each class of counties decreases from Cornwall and Devon, the healthiest in England, to Cambridge, Kent, Surrey, and Middlesex, where the mortality is greatest. A slight diminution of the mortality, varying from ·05 to ·09, is required, between the ages of 15 to 60, in some of the counties where the maritime and military population was not enumerated, although its deaths are recorded in the parish registers. This correction has been made in Table IV.

* On the Diminution in the Mortality of Infants in England, by T. R. Edmonds, Esq. — *Lancet*, vol. i. 1835–36.

† *Lancet*, vol. i. 1835–36. No. 12

III. Table showing for each County of England the Annual Deaths which occur for every Hundred Living in each of Five Gradations of Age, the Counties being classified according to the Mortality of Females between the Ages of Fifteen and Sixty Years.

	Wales and the Forty-two Counties.	Males (without correction).						Females.							
		0-5	5-15	15-30	30-60	Above 60.	All Ages.	0-5	5-15	15-30	30-60	Above 60.	All Ages.	Living in 1821.	Proportion engaged in Agriculture, 1821.
1.	Cornwall	3·59	·50	·79	1·41	7·63	1·82	3·12	·52	·67	1·10	7·18	1·67	133	38 per cent.
	Devon	4·55	·53	·82	1·43	7·56	2·04	3·96	·54	·71	1·23	7·12	1·85	231	41 —
2.	Wales	3·84	·53	·90	1·38	7·50	1·90	3·38	·52	·75	1·25	7·08	1·79	367	51 —
	Monmouth	4·25	·49	·76	1·25	7·12	1·79	3·51	·49	·77	1·32	6·82	1·80	33	43 —
3.	Dorset	3·93	·47	·81	1·25	7·02	1·86	3·32	·51	·85	1·35	7·12	1·81	76	43 —
	Somerset	4·34	·56	·80	1·41	7·37	1·97	3·80	·57	·83	1·34	7·09	1·87	183	43 —
	Wilts	3·66	·49	·79	1·31	7·21	1·83	3·25	·53	·87	1·40	7·40	1·84	114	52 —
	Gloucester	4·24	·55	·83	1·48	6·80	1·91	3·55	·49	·85	1·35	6·50	1·76	175	32 —
	Hereford	3·88	·46	·78	1·28	7·66	1·90	3·13	·51	·95	1·36	7·27	1·88	52	62 —
4.	Northumberland	3·97	·59	·88	1·38	6·73	1·90	3·35	·54	·74	1·32	6·55	1·72	104	27 —
	Cumberland	4·74	·61	·87	1·42	7·68	2·06	4·16	·61	·81	1·35	7·32	1·98	81	36 —
	Westmoreland	3·87	·67	·87	1·30	7·54	1·97	3·49	·58	·93	1·47	7·85	2·03	26	49 —
	North York	3·79	·53	·87	1·24	7·30	1·91	3·47	·55	·96	1·34	7·04	1·88	93	43 —
4.	Rutland	4·37	·44	·84	1·31	7·59	1·98	3·84	·55	·93	1·38	7·32	2·01	9	61 —
	Norfolk	5·20	·54	·84	1·24	7·21	2·08	4·40	·55	·88	1·31	7·02	1·97	177	49 —
	Suffolk	5·73	·45	·81	1·19	6·86	1·78	5·21	·49	·95	1·37	6·83	1·80	133	56 —
	Hertford	4·48	·54	·80	1·45	8·22	2·00	4·03	·54	·92	1·42	7·62	1·91	66	52 —
	Durham	5·34	·84	1·15	1·51	7·97	2·38	4·49	·72	·91	1·54	7·53	2·14	109	21 —
	East York	5·48	·63	·94	1·38	7·39	2·17	4·66	·60	·89	1·41	7·17	1·98	98	38 —
5.	West York	5·18	·62	·88	1·41	7·36	2·09	4·57	·56	·93	1·48	7·39	1·98	402	20 —
	Leicester	5·21	·61	·91	1·33	7·26	2·04	4·33	·51	·91	1·41	7·30	1·95	88	35 —
	Lincoln	5·13	·56	·78	1·14	7·39	2·07	4·39	·58	·90	1·45	7·25	1·98	141	59 —
	Salop	4·56	·61	·98	1·52	7·45	2·08	3·91	·57	1·02	1·42	7·37	1·98	101	44 —
	Derby	4·38	·56	·92	1·29	7·38	1·94	3·72	·54	1·07	1·50	7·63	1·91	107	34 —
	Northampton	4·64	·55	·81	1·32	7·37	2·05	3·97	·63	1·10	1·52	7·49	2·08	85	53 —
	Huntingdon	4·72	·57	·84	1·55	7·65	2·09	4·21	·65	1·00	1·52	7·42	2·02	25	62 —
	Essex	4·41	·56	·92	1·51	7·88	2·05	3·95	·61	1·06	1·53	7·29	1·97	145	56 —
6.	Bedford	4·17	·58	·78	1·34	7·31	1·92	3·49	·65	1·14	1·58	7·40	1·95	43	62 —
	Bucks	4·72	·53	·81	1·31	7·65	2·05	3·98	·63	1·10	1·54	7·96	2·08	69	58 —
	Oxford	4·97	·50	·78	1·36	7·82	2·05	4·14	·53	·99	1·47	7·82	2·04	68	55 —
	Berks	4·72	·53	·90	1·51	7·99	2·12	4·16	·59	1·05	1·55	7·69	2·08	66	53 —
	Southampton	4·43	·55	·99	1·53	7·88	2·10	3·77	·53	·96	1·52	7·68	1·91	145	42 —
	Sussex	3·93	·51	·91	1·35	7·46	1·87	3·21	·50	1·08	1·45	7·00	1·79	116	50 —
	Lancaster	6·56	·71	1·04	1·64	7·66	2·40	6·28	·69	1·02	1·75	7·59	2·34	340	11 —
	Chester	5·57	·78	1·07	1·65	8·20	2·32	4·78	·68	1·11	1·76	8·22	2·22	137	35 —
	Nottingham	6·38	·61	·90	1·41	7·18	2·27	5·37	·62	1·06	1·57	7·04	2·16	95	55 —
7.	Stafford	5·98	·68	1·06	1·60	7·80	2·34	5·43	·62	1·07	1·58	7·41	2·20	169	27 —
	Warwick	6·12	·63	·90	1·63	6·16	2·26	5·29	·64	·93	1·55	6·03	2·08	141	28 —
	Worcester	5·81	·65	·93	1·47	7·54	2·26	5·21	·62	1·04	1·51	7·21	2·15	94	38 —
	Cambridge	5·96	·71	·90	1·63	7·85	2·34	5·08	·71	1·03	1·62	7·85	2·23	62	61 —
8.	Kent	5·60	·66	1·41	2·04	7·82	2·54	4·75	·61	1·02	1·63	7·69	2·11	216	36 —
	Surrey	7·73	·78	1·05	2·12	9·51	2·81	6·40	·69	·92	1·77	8·78	2·41	209	17 —
	Middlesex	8·54	·84	1·06	2·46	11·02	3·03	6·77	·78	·83	1·96	10·36	2·53	611	4 —
	England and Wales	5·30	·61	·94	1·59	7·77	2·21	4·56	·60	·95	1·52	7·53	2·05	5,145	34 per cent.

The numbers representing the mortality in thirty-nine counties, have been obtained by increasing the registered deaths one-ninth part. In the case of Wales, Monmouth, Middlesex, and Surrey, the increase has been one fourth part. The relative weight of each observation is indicated by the additional column representing in thousands the amount of the female population of each county.

IV. Table showing, in each of Six Gradations of Age, the Mortality per cent. of each Sex in each of Eight Classes of English Counties.

Class.	Males (corrected).*							Females.						
	0-5	5-10	10-15	15-30	30-60	Above 60	All Ages.	0-5	5-10	10-15	15-30	30-60	Above 60	All Ages.
				1·10										
1	4·19	·63	·38	·75	1·36	7·58	1·90	3·65	·63	·41	·70	1·18	7·14	1·78
2	3·87	·60	·44	·83	1·31	7·46	1·83	3·39	·59	·43	·75	1·26	7·06	1·79
3	4·14	·63	·44	·76	1·32	7·15	1·86	3·58	·59	·47	·83	1·35	6·96	1·83
4	4·36	·58	·44	·80	1·23	7·30	1·92	3·76	·55	·52	·92	1·35	7·12	1·90
5	5·24	·72	·52	·86	1·38	7·47	2·09	4·52	·64	·52	·92	1·47	7·33	2·00
6	4·45	·62	·47	·87	1·40	7·62	1·99	3·81	·58	·55	1·05	1·50	7·51	1·96
7	6·11	·78	·56	1·03	1·64	7·64	2·34	5·33	·71	·56	1·03	1·65	7·18	2·18
8	8·19	1·05	·55	·95	2·27	10·72	2·88	6·68	·95	·53	·85	1·91	9·95	2·50
				1·90										
Totals	5·30	·72	·49	·88	1·53	7·77	2·15	4·56	·66	·52	·95	1·52	7·53	2·05
				1·33										
	Table of "Mean Mortality," when period of "Infancy" terminates at seven years							4·47	·77	·65	·86	1·66	7·62	2·09

* The apparent mortality of the male sex between 15 and 30, between 30 and 60, and at all ages, has been diminished by ·06 in the total, and in classes 1, 2, and 3; it has been diminished by ·03 in classes 4, 5, 6, and 7; and by ·10 in the eighth class.

Except Cambridge, it will be found that, generally, the counties having the greatest proportion of inhabitants congregated in towns are the most unhealthy. Above 60 the mortality in these counties would have been higher, had the ages of the inhabitants of Birmingham, Bristol, Newcastle upon Tyne, Manchester, Leeds, and some other large towns, not been omitted, in some unaccountable manner, in the specification made in 1821. Through this omission, and the uncertainty in the parish registry, it is impossible to ascertain the present mortality prevailing in many of our large towns. The population returns furnish materials for determining the mortality in only the 6 towns subjoined: the absolute mortality in which is stated on the assumption that the registered deaths are to be increased 20 per cent. in order to obtain the true number of deaths; while, in the whole of England and Wales, the estimated increase was 13·92 per cent. Fortunately the invaluable observations collected in Glasgow by the "Committee on Churchyards," comprehending an accurate return of the deaths during 15 years (1821–35), and two enumerations of the living, and their ages, come here to our assistance: they have furnished Mr. Edmonds the materials for determining very accurately the mortality in Glasgow during the three last quinquennial periods. The public spirit of the Glasgow town council, and the enlightened exertions of Dr. Cleland, in obtaining a second voluntary enumeration of the living, and their ages, in 1831, are as honourable to them, as the omission of the ages in 1831 is discreditable to the persons who directed the last census in England and Scotland.

V. Table of the Annual Mortality per Cent. at every Age in Glasgow during the 15 Years, 1821–35, compared with the Mortality prevailing during 18 Years, 1813–30, in 6 large English Towns, viz. York, Norwich, Plymouth, Hull, Portsmouth, Liverpool, — and in London.*

Between Ages.	1813-30, Six Towns of England.	1821-35, Glasgow.	1813-30, London.	Between Ages.	1813-30, Six Towns of England.	1821-35, Glasgow.	1813-30, London.
0— 5	8·63	8·10	8·27	60—70	5·83	6·04	7·34
5—10	1·03	1·24	1·08	70—80	12·10	13·57	15·25
10—20	0·73	0·76	0·60	80—90	24·62	25·81	29·91
20—30	1·39	1·17	1·07	Above 90	42·72	42·55	33·55
30—40	1·56	1·57	1·52				
40—50	1·96	2·31	2·29	All Ages	2·95	2·83	2·84
50—60	3·00	3·50	3·61				

By comparing the mortality prevailing in all these towns with that of England, it will be seen how much the chances of dying are increased among the mass of people dwelling in cities.

To show what variation has taken place in Glasgow during the last 15 years, the following table was constructed.

VI. Table showing for each of Three Quinquennial Periods the average Annual Deaths which occurred in each Interval of Age, out of 100 living at the same Interval; also showing the Annual Mortality for the 4 last Years, exclusive of the Year of Cholera.

Between Ages.	Males.			Females.			Third Period exclusive of Year of Cholera.	
	1821-25.	1826-30.	1831-35.	1821-25.	1826-30.	1831-35.	Males.	Females.
0— 5	8·08	7·47	9·78	7·66	7·10	8·52	9·51	8·29
5—10	1·31	1·14	1·31	1·26	1·11	1·31	1·26	1·24
10—20	·74	·82	·95	·71	·61	·72	·93	·67
20—30	1·23	1·39	1·51	·88	·84	1·12	1·16	·92
30—40	1·35	1·56	2·11	1·24	1·32	1·85	1·77	1·48
40—50	1·82	2·31	3·19	1·65	2·06	2·87	2·60	2·21
50—60	2·84	3·71	4·11	2·68	3·36	4·30	3·29	3·51
60—70	5·72	6·38	6·97	4·67	5·74	6·72	6·00	5·50
70—80	12·70	15·45	17·30	10·18	11·88	13·02	15·54	11·02
80—90	21·27	29·07	30·53	16·72	21·97	23·50	28·34	22·72
Above 90	56·29	51·60	37·51	31·04	31·52	44·48	36·69	42·76
All Ages	2·78	2·91	3·59	2·37	2·40	2·93	3·31	2·62
30—60	1·84	2·27	2·89	1·69	1·98	2·66	2·35	2·12
Above 60	8·81	10·23	10·95	7·32	8·70	9·77	9·60	8·37

* *Lancet*, 1835–36, No. 12. The materials from which these tables have been deduced were communicated to Mr. Edmonds by Henry Paul, Esq., the present convener of the Committee on Churchyards in Glasgow; and have been published in the *Lancet*.

This table deserves most serious attention; it places beyond all doubt the remarkable fact that, "between the ages of 30 and 60, the mortality of each sex increased 20 per cent. every 5 years. This is the case after deducting 10 per cent. from the actual average of the 5 years, 1831–35, as the effect of the cholera visitation in 1832. The mortality in 1832, between the ages of 30 and 60, really raised the average 20 per cent." By comparing the two last columns of the table with the third and sixth, it becomes evident that cholera increased the mortality principally between the ages of 20 and 70.

Through the ignorance, not yet wholly dispelled, of the conditions of animal existence prevailing when large towns were built, the social and intellectual advantages which they offered were in part neutralised, and in some instances overbalanced, by their baleful influence upon the health and physical strength of the inhabitants. It is probable that the population of several cities in Europe was only maintained by immigration; and when large towns were designated by Dr Price "the graves of mankind," experience and calculation sanctioned the appellation. Besides certain vices and the misery of the poor in cities, the privation of atmospheric air in narrow streets or close rooms, and the accumulation of carbonic acid preventing the escape of that gas from the lungs, as well as the collection of putrid effluvia, and the imperfect drainage of excretions and refuse animal or vegetable matter, are the main sources of insalubrity where masses of men are collected. A city on a well selected site, constructed with a view to the supply of atmospheric air, and the removal of all refuse matter, whether gaseous, liquid, or solid, may, undoubtedly, be made little less healthy than the country. The increasing mortality in Glasgow is, no doubt, in part due to the accession of Irish population, who amounted, in 1831, to 35,554, or to more than a sixth of the inhabitants. The poor Irish, we strongly suspect, are keeping up, if they be not introducing, the fevers of their wretched country in the heart of the British cities: this is confirmed in the case of Glasgow by the ages at which the mortality is augmented, and by a Report of the Glasgow Infirmary before us, from which it appears that, in the year 1835, out of 3,260 patients treated, 1,258 had fevers, and of these 125 died.

No materials exist for determining the relative mortality at different ages in Scotland and Ireland; the proportions specified, in the enumeration of ages above 60, furnish, however, a certain approximation to the truth. The number living above 60, for every 100 living between 30 and 60 years was in,

England and Wales	(Females)	-	27·5
Scotland	(Females)	-	28·0
Ireland	(Males and Females)		15·7
Belgium	(Males and Females)		30·3 *

The proportion of old people in Ireland is little more than half the proportion living in Belgium: Scotland, in this respect, differs little from England.

The people of this country have extended their power into all the quarters and climates of the globe; the mortality of the military will show at what expense of life and health. The constitution of a race of men is fitted to the locality and the atmosphere in which they are born; and they must possess a redundant vitality to acquire and retain possessions in a climate different from their own, and destructive of a body not moulded by its influences into the correspondent temperament. By the subjoined table of the mortality of the British army it will be seen that the soldier, in the prime of his physical powers, is rendered more liable to death every step he takes from his native climate, till at last the man of 28 years is subject, in the West Indies, to the same mortality as the man of 80 remaining in Britain. By a judicious choice of stations, some very obvious hygienic precautions, and a temperate regimen, little doubt can be entertained that the European mortality may be diminished a half in the tropical colonies. The mortality of the troops is double that of the officers. Is not this mainly due to the crowding the men in barracks?

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* On the Law of Mortality in each English County, by T. R. Edmonds, Esq. — *Lancet*, 1835–36, vol. i. p. 415.

VII. Table of the Mortality of the British Army, showing the mean Number of Annual Deaths out of 100 living at each Station mentioned.*

Time and Place of Observation.	English Army.	Extent of Observations.		Annual Rate of Mortality per Cent.		
		Average Force.	Years.	Maximum.	Mean.	Minimum.
*The United Kingdom	British army	46,160	10		1·5	
*Ireland, 1797-1828	Ditto	36,921	32	2.0	1·5	1·1
*Malta, 1824-31	The garrison	2,296	8	2·8	1·5	1·0
*Gibraltar	Ditto	3,267	17	13·4	2·0	0·7
*Ionian Islands	The troops	3,467	13	3·6	2·6	1·4
*Fort St. George Presidency	(1)European troops	11,820	4	7·1	4·8	3·2
*Madras, 1827-30	Native troops	69,550	4	1·6	1·4	1·0
*Bengal, 1826-32	(2)European troops	8,700	7	9·7	5·7	3·8
*Windward Islands	1796-1805, ditto	13,610	10	27·7	18·3	8·0
*Leeward Islands	1810-28, ditto	5,768	19	25·4	11·3	4·7
*Jamaica, Honduras, 1810-28	Ditto	2,528	19	47·2	15·5	7·8
*Jamaica, Honduras, Windward and Leeward Islands	Colonial troops, (Blacks)	2,733	19	8·4	5·5	1·8

The mortality of the native troops in the Madras presidency was only 1·4 per cent.; that of the European troops was quadrupled in Bengal. At home 1·5, in Bengal 5·7 per cent. of the European troops died. The climate of the East Indies is, therefore, congenial to the Hindoos, and only extraordinarily fatal to foreigners. The same holds of other countries, not poisoned by vegetable or animal effluvia, when their extremes of heat and cold, moisture and dryness, are not excessive.

The mean mortality of the French infantry at home is higher than that stated above for the English army.†

FRENCH INFANTRY.

	Extent of Observations.		Annual Rate of Mortality per Cent.		
	Force.	Years.	Maximum.	Mean.	Minimum.
Troops of the line	106,700	6		2·00	
Garde royale	13,924	6		1·47	
The whole army	120,604	6	2·38	1·94	1·55

Sickness. — A bill embodying a plan for enabling the labouring poor to provide support for themselves in sickness and old age, by small weekly savings from their wages, was introduced by Mr. Dowdeswell, and approved by the House of Commons, in 1773; but it met with the same fate as another bill framed by the Commons in 1789, and founded on tables computed, at the request of a committee, by Dr. Price. The Lords rejected both bills; and thus deprived the labouring poor of the guidance of a legislative act in the formation of friendly societies for half a century.‡ The tables of sickness, computed for the first bill, were published by Baron Maseres in the second volume of his *Treatise on the Doctrine of Life Annuities:* Dr. Price's tables, which have since been in general use, were published in the edition of his work on annuities by Mr. Morgan. These tables were founded partly on observation and partly on an ingenious hypothesis: no extensive observations were ever made to determine the average time of incapacitation from labour, produced by sickness, till the subject was taken up and investigated by the Highland Society (1824). Since then two committees of the House of Commons have sat on benefit societies, and the subject has obtained more attention.§

*. *Edinburgh Medical Journal.* Mr. Marshall has the merit of having first investigated with success the statistics of the British army. Lieutenant Tulloch has published several valuable papers on the subject in the *United Service Journal.* Both these esteemed writers publish the materials from which their results are deduced.

† *Benoiston de Chateauneuf, Annales d'Hygiène,* t. x.

‡ A bill for the registration of births and deaths in England and Wales has been passed during the present session, and a Registrar General appointed to superintend its execution.

§ Notwithstanding the writings of Dr. Price, and the publication of the Highland Society (1824), an actuary, Mr. Finlaison, affirmed, before the first committee, that "there is a constant and given mortality operating upon life, but no such law exists as to sickness." Evidence before Select Committee on Benefit Societies, 1825. He of course retracted this opinion.

Sickness, in practical statistics, is employed in a general sense. If we consider man as a material body, acting intelligently, any thing in the condition of the body itself, which interrupts or impedes that action, is sickness. Any disturbance in the functions of the body, or alteration in the organs by which they are executed — from the skin to the brain and spinal marrow — from the time the food enters the mouth, till it exhales from the skin and lungs in vapour and gas — is a disease: and the sum of sick-time, produced by all diseases, constitutes the sickness of which statisticians speak. It is of various kinds. In acute or severe diseases, such as fever, inflammation of an important part, or malignant ulcer, a man is often able to think and move, just as he can digest a small quantity of food; but not with any energy, or at least with the energy required by an ordinary occupation. Any attempt at exertion aggravates and prolongs the sickness. This, we believe, is called *bedfast* sickness by the friendly societies. In other chronic diseases, slow inflammations of internal organs, reduced dislocations, rheumatisms, ulcerations, the patient can attend partially to his business: he *is* in possession of half his faculties; whether he can make them in any way available, depends on circumstances. This is walking sickness. The infirm, the crippled, the maimed, may either be entirely helpless and bedridden, or capable of some of the duties of life: their sickness differs from the bedfast, and from the walking, in being beyond the pale of recovery. The Highland Society calculated that of ten weeks' sickness, among persons of all ages under 70, two may be assumed as bedfast sickness, five as walking, and three as permanent.*

The following table of sickness, from the *British Medical Almanac*, presents a comparative view of the mean proportion of sickness incidental to members of English and Scotch benefit societies, according to (1.) the observations of the Highland Society; (2.) returns obtained by the Society for promoting Useful Knowledge; (3.) and a table of Mr. Edmonds's, agreeing very nearly with Dr. Price's, in universal use.

VIII. Table showing the Proportion of Sick out of 100 living at each Interval of Age in Friendly Societies.

Between Ages.	Sick Time in 100 of Life Time.			Between Ages.	Sick Time in 100 of Life Time.		
	Scotch Benefit Societies.	English Benefit Societies.	Theoretical Table by Mr. Edmonds.		Scotch Benefit Societies.	English Benefit Societies.	Theoretical Table by Mr. Edmonds.
20 to 30	1·14	1·54	1·32	70 to 80	31·70	32·50	—
30 — 40	1·32	1·83	2·30	80 — 90		40·00	—
40 — 50	1·97	2·56	3·10	90 — 93		67·00	—
50 — 60	3·60	4·32	4·51				
60 — 70	10·80	11·26	9·36	All ages	2·15	2·76	—

These observations show that, in the different circumstances, 1·32, 1·83, and 2·30 men in 100, between the ages of 30 and 40, were constantly ill: the sick-time increasing regularly with age. It is easy to deduce from this table the days of sickness of each individual.

The Scotch and English observations represent, so far as limited numbers can, the sickness to which men, who are healthy at the time of entering benefit societies, are subsequently liable: the general proportion of sickness is higher. Tables of sickness for the entire population would be formed by taking 100,000 persons, of given ages, indiscriminately, and observing them for one, two, three, &c., years: they would, consequently, comprehend 4,000 or 5,000 individuals sick when the observation commenced, expressly excluded, by the rules of benefit societies, as well as those suffering from syphilitic diseases, and accidents incurred through drunkenness or brawls. In the parish of Methven, Perthshire, it was ascertained that 35 out of 743, or 4·7 per cent. of the male population above 15, would, from bodily or mental infirmity, not have been admitted as members of the friendly societies.† Medical men are well aware that labourers often go about their work with diseases of the heart, tubercles in the lungs, and disorders of considerable severity: Dr. Forbes ascertained, by personal examination of 120 Cornish miners, in actual employment, that only 63 had good health; of the remaining half, 26 had

* *Report of Friendly Societies*, by a committee of the Highland Society, p. 108.
† Ibid. p. 280.

difficulty of breathing, 14 pain of chest, 10 pain of stomach and bowels, 5 lumbago, pain of shoulder, palpitation, scrofula, or fits.* Out of 115 children below 18 years of age, Dr. Bisset Hawkins states, that 84 had good health; 25 middling health; 6 bad health.† Of the miners at work only 53, of the factory children only 73, per cent. enjoyed good health.

How much sickness exists among the actual labourers of this country, independently of those definitively incapacitated by disease, and who are either discharged on this account or set aside as inefficient? For resolving this question, there are valuable materials in the *Supplementary Report* of the Factory Commissioners, of which we shall avail ourselves; regretting, at the same time, that, from several omissions, and the returns not being procured in proper forms, the information they afford is not so complete as it might easily have been rendered.

The first returns deserving notice relate to the workmen employed in his Majesty's dock yards, at Woolwich, Sheerness, Chatham, Portsmouth, Devonport, and Pembroke. That from Portsmouth, made by Mr. Pennell, is the most complete, as it distinguishes the cases, and the duration of diseases, from the consequences of injuries incurred in the yards. It has likewise the advantage of exhibiting the liability to accidents and sickness among different classes of workmen.

IX. An Account of the Number of Workmen employed in Portsmouth Dock Yard, and of the Cases of Absence from Work, on account of Sickness, during the last 3 Years. Prepared agreeably to Mem. of 9th of May, 1833.

	1830.					1831.					1832.				
	Average Number borne	Number of Cases		Days Sick.	Days Hurt.	Average Number borne	Number of Cases		Days Sick.	Days Hurt.	Average Number borne	Number of Cases		Days Sick.	Days Hurt.
Description of Workmen.		Sick.	Hurt.				Sick.	Hurt.				Sick.	Hurt.		
Blockmakers	5	3	2	10	13	5	5	1	31	18	4	2	-	61	
Boys, house and oakum	29	8	3	238	37	26	7	3	40	31	20	5	1	48	23
Braziers and tinmen	3	-	1	-	16	3	-	-	-	-	3	1	-	6	
Bricklayers and labourers	29	5	4	158	43	26	5	5	255	46	24	3	5	178	38
Caulkers	90	30	16	384	236	88	52	12	512	106	84	27	23	351	360
Cooper	1	-	-	-	-	1	-	-	-	-	1				
House carpenters	16	3	-	41	-	16	7	2	104	25	16	6	-	195	
Joiners	81	23	6	355	83	80	20	16	157	190	74	20	12	247	164
Labourers, storehouse	19	2	1	28	95	17	4	-	22	-	17	6	-	18	
Yard and house carpenters employed as labourers	209	50	11	900	279	198	57	21	729	483	182	44	10	852	225
Locksmiths	2	-	-	-	-	2	1	-	11	-	2				
Masons	11	2	2	13	22	11	2	-	3	-	10	1	1	6	44
Messengers	7	3	-	20	-	7	-	-	-	-	7				
Painters and glaziers	29	11	7	198	73	26	14	5	556	94	22	7	1	156	11
Plumbers	6	6	-	42	-	6	5	-	39	-	6	2	-	9	
Pitch heater	1	-	-	-	-	1	1	-	1	-	1				
Riggers and labourers	74	11	11	74	137	71	22	11	162	177	69	16	11	223	162
Sail makers	46	15	1	189	10	45	22	2	284	10	41	20	3	530	42
Sawyers	99	27	31	233	553	96	31	13	357	228	93	23	9	214	124
Scavelmen	64	16	7	292	96	63	14	7	233	115	54	13	4	133	65
Shipwrights	327	318	196	3,702	3,079	300	430	179	4,729	2,463	746	315	198	3,170	3,007
Smiths	153	70	25	900	275	151	117	27	656	296	150	66	26	682	351
Rope makers	111	35	-	589	-	107	44	7	381	80	100	36	4	1707	85
Warders	35	17	9	336	111	28	9	1	35	29	26	11	2	257	11
Wheelwrights	3	-	1	-	13	3	-	-	-	-	3				
Workmen at wood mills	25	9	1	114	32	24	6	-	268	-	21	2	2	168	36
at metal	52	24	15	162	195	51	26	10	214	99	46	27	7	319	96
millwright's shop	52	9	7	210	486	50	7	3	26	130	45	12	10	107	242

X. Table presenting a condensed View of the above Facts.

Years.	Average Number of Men.	Number of Cases.		Days of Sickness from spontaneous Disease.	Days of Sickness from Injuries.	Total Days of Sickness.
		Diseases.	Hurts.			
1830	2,079	697	357	9,188	5,884	15,072
1831	2,002	888	325	9,605	4,620	14,225
1832	1,867	665	329	8,617	5,086	13,703
3 years	5,939	2,250	1,011	27,410	15,590	43,000

This table furnishes, as the mean of the three years, the following interesting results. In the year, 1 man in 6 is seriously hurt; 2 in 5 fall ill. Each man, on

* *Medical Topography of Penwith, Cornwall*, by J. Forbes, M.D.; Trans. of the Medical Association, vol. iv. p. 187.

† *Supplement to Factories Inquiry.*

an average, has an attack of illness, either spontaneous or caused by external injury, every 2 years; and, at an average, each disease lasts 14 days. In a tabular form the results will be more distinctly perceptible.

XI. Annual Proportion of Attacks and Accidents occurring to 100 Men in the Portsmouth Dock Yard: and the mean Duration of each Case.

	Number per Cent.	Duration of each Case, in Days.	
Spontaneous attacks	37·8	12·2	
Injuries	16·0	15·6	
Both	53·8	13·2	mean duration of all cases.

So far as the returns from the other dock yards can be understood, and admit of comparison, they confirm these results; and between Woolwich and Portsmouth, where hurts and sickness are distinguished, there is a remarkable coincidence in the time lost by sickness, although that from injuries is very different.

XII. Table showing the Time lost by Sickness, whether induced by Accident or otherwise, among the Labourers in Portsmouth and Woolwich Dock Yards.

	Mean Number of Workmen.	Days lost by Sickness.	Days lost by Accidents.	Constantly sick, per Cent.	Constantly suffering from Accidents, per Cent.	Constantly ill from both Causes, per Cent.
Portsmouth	5,939	27,410	15,590	1·26	0·73	1·99
Woolwich	2,243	10,593	8,594	1·29	1·05	2.34

It may be safely assumed that, of the 21,000 labourers employed in the dock yards, 2 per cent., or more than 420, are constantly kept at home, by diseases of one kind or another; and that diseases arising in the body itself, independent of external mechanical injury, constitute almost two thirds of the entire sickness. No details or explanations accompany the original returns; they do not appear to have been demanded: but it may be presumed that the sickness only of the men who recovered, and returned to the dock yards, is intended in the tables, and this, with the selection on entering, excludes the greater proportion of sickness prevailing in a population, although it expresses that experienced by the actually working class. The sickness of the working labourers in the East India Company's service was, we shall show, 1·65 per cent.; and this is little more than a fourth part of the entire sick-time experienced by the whole number employed, including those pensioned. This proportion would make the sick-time of the dock yard labourers 7·8 per cent. of the life-time.

A return of the state of health among the men employed by the East India Company in London deserves especial attention, as no observations so accurate or extensive have before been published, relative to the sickness and mortality among labourers in large cities. This return was obtained "in the form of a large volume, containing a list of 2,461 labourers, employed in the month of April, 1823, with a statement of the number of days' illness experienced by these labourers, one by one, year by year, for the 10 succeeding years; also the date of every death, and the date when any labourer ceased to be employed, by being superannuated and pensioned, dismissed, or by voluntarily leaving the service of the Company." *

Every labourer put upon the sick list is allowed 1*s.* 6*d.* a day, Sundays included; he is also seen every day by the surgeon, and, therefore, remains no longer absent than the case requires.

During the 10 years, 496 died, 248 were pensioned, and 208 left the service or were dismissed. The reporter, Dr. Mitchell, has calculated a table of the duration of sickness per annum for every age, from 16 to 81, which we subjoin: —

Age.	Average Duration of Sickness per Annum for every Man employed.	Average Duration of Sickness for every Man sick.	Age.	Average Duration of Sickness per Annum for every Man employed.	Average Duration of Sickness for every Man sick.
	Days.	*Days.*		*Days.*	*Days.*
Under 21	4·02	13·96	51 to 61	7·00	28·60
21 to 31	4·94	18·70	61 — 71	10·08	29·07
31 — 41	5·06	22·63	71 — 81	11·63	31·77
41 — 51	5·31	25·21			

* *Factories Inquiry; Supplementary Report*, by Dr. Mitchell, vol. i. p. 48.

Dr. Mitchell has unfortunately withheld the *data* from which these results were derived. He has not stated the total days' sickness, and attacks at each age, nor arranged the observations so as to exhibit the complete years of life. But the report contains tables showing the number of the men at every year of age, from 16 to 78, in the beginning of April, 1823; the ages at which the 248 pensioners were put upon the list; and the ages at which the 496 men died whilst classed as workmen, as well as the ages at which 161 of the pensioners died. It appears that the deaths of the pensioners were obtained in a separate return, extending from April, 1823, to January, 1834, nine months over the ten years in which the other deaths happened. From these facts we first deduced the number living at each decennial period of life, on the supposition that the 2,461 individuals alive in 1823 had remained in the service ten years; and these subtracted the years of life lost by deaths and dismissals. Dr. Mitchell having omitted to state when or at what age the 208 men left the service, it has been assumed that the younger men left in rather greater proportion than the aged, but that all remained in the service five full years; which is the same as supposing the dismissals were equally distributed over the ten years. A similar correction was made for the deaths: 1-14th was deducted from the deaths of pensioners for the nine excessive months in which they were observed.

XIII. Table showing the Number of Labourers in the East India Company's Service, April, 1823; and, from Ten Years' Observations, the Number living complete Years between 16 and 90 years of age; the Deaths among the Workmen and Pensioners; the resulting Mortality compared with the Mortality among Males in London and Stockholm.

Ages.	Labourers.			Deaths.		Annual Deaths per Cent. among the				Annual Mortality, per Cent.	
	On the Books April, 1823.	Living in One Year.	Living during One complete Year	of Workmen.	of Pensioners.	Workmen.		Pensioners.	Entire Class of Labourers.	London, 1813–30. Males.	Stockholm, 1755–65. Males.
						Entire Number.	Attacked.				
16–20	31	48	38								
20–30	437	2,301	2,066	16	1	·78	2·9	6·4	0·82	1·22	2·63
30–40	779	6,617	5,939	86	2	1·46	6·5		1·48	1·69	3·54
40–50	599	6,749	5,764	136	8	2·38	10·4	17·7	2·43	2·54	4·67
50–60	451	5,365	4,255	147	40	3·52	14·2		4·27	4·04	6·46
60–70	137	2,739	1,819	85	76	5·88	15·4	16·5	9·24	8·12	10·10
70–80	27	675	426·5	16	30	5·66	11·7		10·71	15·97	15·87
80–90		56	35·5		5			23·2	13·90	30·91	31·94
										55·84	57·50
	2,461	24,610	20,343	496	161	2·50	10·6	16·5	3·13		

These observations are equivalent to observations on 20,343 men during one complete year, and between the ages of 30 and 70 are sufficiently extensive to furnish a near approximation to the mortality in four decennial periods: earlier or later they are of little separate value. The annual rate of mortality was 3·13 per cent.; and, notwithstanding the selection, it agrees, between 40 and 60, very nearly with the general mortality of males in London (1813–30).

The mortality under 40 is not so high among the labourers, because the greater part of them are selected healthy men, received into the service between the age of 20 and 35; after 50 it is higher than the general mortality in London. These men were well supplied with food and clothing; their work without being hard insured regular muscular exercise; in sickness they had rest and proper medical attendance; yet between 40 and 50 the mortality was 67 per cent., between 50 and 60 as much as 82 per cent. higher than the mortality at the same ages in all England. Such facts as these annihilate the supposition that the increased mortality in cities is due to want of food, and greater misery; nor, although these men drank freely, can we admit that their moral habits differed so greatly from those of country labourers as to account for their greater mortality.

Of the 2,461 labourers, 10 per cent. were pensioned in the course of ten years; 8 per cent. were discharged, or quitted the service; 1 man in 81 working a year was pensioned; 1 in 4 had an attack of sickness; 1 in 60 was constantly on the sick list; 1 in 21 (4·79 per cent.) of the labourers was a pensioner; and 1 in 6 of the pensioners died annually. The mean duration of life, after being pensioned, would therefore be six years; five years and a half less than the mean duration of

life among the general class of men in cities at the same ages.* This and the evidence of the medical attendant Mr. Lewis Leese prove clearly that the greater part of the pension time comes under any comprehensive definition of sickness: the pensioners were declared by a special report of the surgeon, permanently disqualified for labour; and that not by age alone, for the majority were pensioned between the ages of 50 and 70, but by the mechanical injury of a limb, some infirmity, or a slow but fatal disease. Half the pension time may therefore be safely viewed as sick time.

XIV. Showing the Number of the East India Company's Labourers at several Periods of Age working a complete Year; the Number attacked by Sickness; the Days of Sickness experienced; the Pensioned; the Pensioners on the List One complete Year. Also the Proportion that annually fall sick or are pensioned out of 100 working; the Proportion sick of the Class still on the working List; the average Number of Labourers on the Pension List; the Proportion of the Living disabled, and either on the Sick or Pension List.

	Labourers employed a complete Year.	Attacks of Sickness.	Days of Sickness.†	Pensioned.	On the Pension List One complete Year.	Out of 100 Men working One Year.		Sick in 100 Workmen.*	Of 100 living.	
						Cases of Sickness.	Pensioned.		On the Pension List.	Sick and on the Pension List.
16–20	38	10·9	152	-	-	28·5	-	1·10	-	1·10
20–30	2065	546·5	10,203	4	5·5	26·4	·20	1·36	·27	1·62
30–40	5907·5	1320·5	29,891	13	41	22·4	·22	1·38	·69	2·06
40–50	5703·5	1305·5	30,286	13	72	22·9	·23	1·46	1·25	2·69
50–60	4169·	1020·4	29,183	76	199	24·5	1·82	1·91	4·70	6·58
60–70	1615·5	569	16,284	105	433·5	34·7	6·50	2·76	23·85	26·50
70–80	316·5	116	3,681	33	201·	36·6	11·06	3·20	46·49	48·78
80–90	23·	1 ?	35 ?	2	21·5	-	8·70	?	69·65	-
	19,838	4880·8	119,715	248	973·5	24·6	1·23	1·65	4·79	6·44
						1–4	1–81	1–60	1–21	1–15·5

The proportion attacked by sickness out of 100 men, at each age, working one year, differed inconsiderably between 20 and 60; the number pensioned between 20 and 50 was also the same (·0022); from 6 to 11 per cent. of the workmen were placed on the pension list between the ages of 60 and 90; of the actually working class the sick time increased with age from 1·1 to 3·2 per cent.; the pensioners at the ages 60–70 formed 24, at 70–80 more than 46 per cent. of the living. The total sick time (including pension time) increased up to 50, in geometrical progression, at the rate of nearly 1-3rd every ten years; and if half the pension time after 60 be counted as sickness, it rather more than doubled in the subsequent decennial periods. The rate of sickness, including all the pension time under 50 years of age, is much higher than that found by the Highland Society: it lies between the rate assumed by Dr. Price and the observations on the English benefit societies. (See tab. VIII.). There were two years of incapacitation for labour to each death. The deaths were to the sick and pension time as 3·13 to 6·44.

Friendly societies, and companies who, like the East India Company, may deem it prudent to make their men subscribe to a sick and pension fund, will find these tables very valuable. They also throw great light on the state of health prevailing in the metropolis: the mortality and other considerations show that these men, labouring in warehouses in the heart of the city, yet well provided for, occupy, as regards health, a middle point between the worst classes and the inhabitants of the cleaner and less crowded districts. ‡

* The expectation of life at the mean age when the 248 men were pensioned was 11·4 years, according to the city table of Mr. Edmonds.

† Obtained by multiplying the mean number working by the days of sickness experienced by one person: this sickness is a fraction higher than that given by Dr. Mitchell, as the days opposite 21—31, &c., in his table were applied to the numbers 20—30, &c., in this. He has improperly compared the 9th instead of the last column with the sickness of the Highland Societies, which comprehended every kind of incapacitation for labour.

‡ In addition to the statements in the report, we have ascertained from Mr. Lewis Leese, the intelligent surgeon who with his father and another surgeon

The comparative health of children in factories could be satisfactorily determined only by an enumeration of the living and sick in the manufacturing and other towns. The following tables by Dr. Mitchell are, however, not uninteresting. In reading them it must be borne in mind that the fourth column does not represent, as stated, the "average duration of sickness per annum for every person employed;" for the operatives were generally examined at the end of the year, and from their statement of the sickness they had experienced in the preceding year, reported by their employers, this sick time was deduced: a method which would exclude the sickness of all who had died, or been prevented by chronic diseases from resuming their labour. The "number employed" applies solely to the wages; only a certain proportion of them, not mentioned by Dr. Mitchell, furnished the average rate of sickness. Tables of sickness are given for 8 places; but the extent of observation in the other places was so small, as to render the results quite irregular, and of no separate value. Through the omission of the number of observations, and of the other data, it is impossible to combine the facts together, so as to obtain a general result.*

XV. Lancashire.

Age.	Males. Number employed.	Males. Average weekly Wages.	Males. Average Duration of Sickness per Annum for every Person employed. Days and Decimal Parts.	Males. Average Duration of Sickness per Annum for every Person Sick. Days and Decimal Parts.	Females. Number employed.	Females. Average weekly Wages.	Females. Average Duration of Sickness per Annum for every Person employed. Days and Decimal Parts.	Females. Average Duration of Sickness per Annum for every Person Sick. Days and Decimal Parts.
		s. d.				s. d.		
Below 11	246	2 5½	2·46	13·04	155	2 4½	8·03	
11—16	1,169	4 1½	3·81	14·88	1,125	4 3	4·85	11·98
16—21	736	10 2½	4·42	16·15	1,240	7 3½	5·56	14·65
21—26	612	17 2½	4·91	18·27	780	8 5	6·85	16·42
26—31	355	20 4½	6·88	22·14	295	8 7½	8·62	18·54
31—36	215	22 8½	3·85	12·19	100	8 9½	9·29	21·77
36—41	168	21 7½	4·13	13·75	81	9 8½	6·16	19·19
41—46	98	20 5½	6·09	14·25	38	9 3½	14·67	24·41
46—51	88	16 7½	7·18	30·31	25	8 10	20·34	26·43
51—56	41	16 4	3·47	15·10	4	8 4½	15·75	21·00
56—61	28	15 6½	12·68	11·5	3	6 4	15·75	21·00
61—66	8	13 7	- -	- -	1	6 0		
66—71	4	10 10	- -	- -	1	6 0		
71—76	1	18 0						
76—81	1	8 8						
Totals	3,770				3,844			

attended the East India Company's labourers, that they were selected chiefly between the ages of 25 and 35, when they became incligible, or only obtained admission by special favour. To keep up a body of 1,984 men, and compensate for the dying, the pensioned, and the discharged, 94 recruits were required every year; and from a book kept by Mr. Leese, who saw about three-fifths of the whole, it appears that he examined during fifteen years, 1808–1822, 69 annually, about 7·5 per cent. of whom were rejected, chiefly for hernia and varicose veins. For various reasons the Company only took sound healthy men into their service. The diseases in the report were all of a severe nature: when influenza and cholera prevailed, 40 or 50 attended daily at the surgery for coughs and bowel complaints; but, as in other slight cases, they continued at work, were *favoured* by the *commodore*, and were not entered on the sick list. Venereal complaints were also excluded, as well as accidents from drinking, &c., when their cause was discovered. The old men gave up more readily than men between the ages of 30 and 50. Consumption and pulmonary complaints were very prevalent, so was fever formerly. Consumptive patients remained on the sick list. Some of the men were Irish; the majority came from the country; the *alongshore* men were very liable to phthisis.

* Dr. Mitchell is by no means singular in not publishing official observations in their simple form: we need not urge the importance of furnishing the data, whatever they are, of calculations in statistical documents. The *data* are the essential part of a statistical report: the *results* without these are of no weight.

XVI. Glasgow.

Age.	Males. Number employed.	Average weekly Wages.	Average Duration of Sickness per Annum for every Person employed.	Average Duration of Sickness per Annum for every Person Sick.	Females. Number employed.	Average weekly Wages.	Average Duration of Sickness per Annum for every Person employed.	Average Duration of Sickness per Annum for every Person Sick.
		s. d.				s. d.		
Below 11	283	1 11½	1·01	3·61	256	1 10½	2·63	14·90
11—16	1,519	4 7	4·80	12·35	2,162	3 8½	6·18	15·81
16—21	881	9 7	5·52	17·14	2,452	6 2	6.38	15·54
21—26	541	18 6	9·11	20·12	1,252	7 2½	8·16	18·96
26—31	358	19 11½	7·05	16·05	674	7 1	7·38	19·81
31—36	331	20 9	7·65	16·93	265	7 4½	6·05	13·05
36—41	279	19 8½	8·50	22·58	218	6 7½	4·16	16·00
41—46	159	19 6	5·12	16·41	92	6 6	11·94	20·36
46—51	117	19 2	4·84	20·57	41	6 10	11·72	40·60
51—56	69	17 9½	4·90	16·41	18	6 1½	16·50	25·85
56—61	45	16 1½	3·27	8·84	16	6 0	15·0	30·2
61—66	17	17 7	- -	- -	7	5 5		
66—71	15	15 9½	- -	- -	2	4 0		
71—77	11	10 11						
77—81	5	9 6						
81—86								
86—91	1	8 0						
Totals	4,631				7,445			

The mortality of the English army is higher than the mortality of the general population; and the sickness, including every class of disease, is more than twice as great as that recorded in the preceding tables, at the ages 20–35, which correspond nearly with the ages of the troops. The mean proportion sick per cent. in Ireland (1797–1828), observed on an average force of 36,921 men, amounted to 5·1 *; but a certain proportion of the sickness in the army is from syphilis, and this is not included in the other observations.

From 24 monthly Musters, Mr. Finlaison deduced the following Rates of Sickness in the Two Years 1823–4. †

	The total Rank and File present or accounted for in 24 monthly Musters.	Sick at the Time the Musters took place.	Sick per Cent.
Cavalry	94,293	3,791	4·02
Foot guards	92,889	3,961	4·26
Infantry	126,513	6,297	4·98
Totals and mean	313,695	14,049	4·48

The sick time in Madras, 1808–9, was 18·4 per cent. of the lifetime. Annesley considered 10 per cent. in that climate healthy; and this appears to be near the mean proportion of European troops constantly sick in the East Indies. In places where the mortality is high, the rate of sickness fluctuates very much from year to year; and, exclusive of losses in battle, the mortality and sickness are tripled or quadrupled in a campaign. This kind of knowledge is still imperfect, although indispensable to those who would employ masses of men with effect in different circumstances.

The army pensioners — the out-pensioners of Chelsea Hospital — besides officers on half-pay, amounted, in 1835–6, to 80,749. They received 1,377,662*l.* in the year. For the last 30 years they have been equal in numbers to the efficient force of the army; and it is stated that their lives are as long as the lives of men who have never entered the service. A return should be called for of the ages of the pensioners, the ages at which they were pensioned, and the deaths at each age. The greatest ignorance and mismanagement have hitherto prevailed in every department of the pension list.

* H. Marshall. *Edinburgh Medical and Surgical Journal.*

† Evidence before Select Committee on Friendly Societies, 1825.

MORBILITY; ATTACKS OF SICKNESS.

The sickness to which mankind is liable does not occur at any one time or age, but in an interspersed manner over the lifetime of each person. The constant quantity of sickness is kept up by a succession of diseases attacking the body at intervals and in paroxysms, which, however irregular they appear, in a limited sphere of observation, are really definite in number, and separated by stated spaces As a certain order is preserved in the performances of the healthy functions, so their derangements, in similar circumstances, also observe an order and regularity of succession. To accuse the human frame of perpetual malady is as ridiculous as to attribute, with some theological writers, unintermitting wickedness to the human heart; but if every alteration of the multiplied parts of the human body, every transient trouble of its infinite movements, every indigestion in man, and every fit of hysteria in woman, were reckoned, few days of human life would remain entirely clear; and, if the same scrutiny were extended to the state of the brain, the world may very civilly be sent to Anticyra — *naviget Anticyram.* In determining the amount of sickness, and the attacks of disease, the slighter affections are therefore passed over; as, whatever difference there may be in the representation and expression, it is probable they bear a tolerably constant relation, in the same class of society, to the severer cases recognised, directly diminishing production by arresting labour. The first of the following observations only embraced attacks of an intensity sufficient to prostrate the bodily strength: they relate also to the labouring classes.

	Years of Life.	Attacks of Sickness.	Annual Attacks per Cent.	Mean Duration of each Case.
				Days.
East India Company's labourers, London, 1823-32	19,338	4,880	24·6	24·5
Children between the ages of 5-30 in the Sick Society of Bennet Street School, Manchester, 1830-32*	2,716	609	22·4	31·2
Artizans and apprentices, Wurzburgh, Germany, mean age 15-35, 1786-1834†	58,195	13,268	22·8	
Labourers in the British Dockyards.				
Plymouth, 1829-31‡ *sick†*	6,186	2,145	34·7	12·2
Portsmouth, 1830-32, *sick*		2,250	37·6	12·2
" *hurt*		1,001	16·0	15·6
" *sick and hurt*	5,939	3,251	53·8	13·2
Sheerness, 1830-32, *sick*	1,422	622	43·7	
Chatham, 1830-32, only the *sick†*	3,914	1,939	49·2	11·7
Pembroke, 1830-32, only the *sick†*	1,338	701	52·4	

	Average Numbers living.	Annual Attacks.	Annual Attacks per Cent.	Mean Duration of Attacks in Days.
Lancashire, working in cotton factories.§				
Males, ages 11-31			27·8	16·13
Females, ages 11-31			41·7	12·63
Glasgow, working in cotton factories.				
Males, ages 11-31			40·5	17·14
Females, ages 11-31			41·3	13·64
Deanston cotton works, 2 years, 1831-2‖				
Males	231	46	20·0	
Females	439	196	44·6	
Liverpool Friendly Society, 2 years, 1829-30*	2,307	1,319	57·2	
Self-supporting Dispensary, Burton-upon-Trent, 1835¶	2,267	2,157	51·5	

* *Factories' Inquiry Report*, by Dr. B. Hawkins, Supplement, p. i. p. 276.

† *Hecker's Medical Journal*, 1836.

‡ Returns made by E. Jessep, W. Pennell, J. Ward, D. Rowland, W. P. Smith, R. Laws, and R. Tobin, Esquires, pursuant to an order of Admiralty. *Supp. Report, Factories' Inquiry*, p. 54–58.

§ *Dr. Mitchell's Report. Data* not given. Deduced from the *Lancashire and Glasgow Factory Tables*, p.

‖ *Factories' Inquiry, Supp. Report*, p. i. p. 80–82. Appendix to evidence taken by Mr. Stuart, a return very judiciously drawn up by the manager, Mr. Smith.

¶ *Dr. Bigsby on Dispensaries.* The Burton-upon-Trent Self-supporting Dispensary included men, women, and children.

Observations of 60 Gaols in England and Wales during 5 Years, 1830-4.	Committed.	Prisoners in the Gaol at the Time of the Returns.	Cases of Sickness.	Deaths.	Annual Cases of Sickness on an average Population of 100.	Annual Deaths out of 100 Prisoners.	Deaths in 100 Cases of Sickness.
20 gaols where the dietary is low	164,714	15,175	6,127	243	40·4	1·60	3·97
20 gaols where the dietary is intermediate	63,440	12,398	11,550	188	93·15	1·52	1·63
20 gaols where the dietary is highest	39,717	7,932	8,937	137	112·7	1·73	1·53
	267,871	35,503	26,614	568	75·0	1·60	2.13
Détenus de la Maison Centrale de Nimes, one year, 1835 *		1,219	1,272	107	104·3	8·77	8·41

	Average Force.	Annual Attacks.	Annual Attacks per cent.
BRITISH TROOPS.			
Corfu, 6 years, 1816-21	1,974	2,350	112
Bengal, 7 years, 1826-32	8,700	14,933	173
Fort St. George, Madras Presidency, 4 years, 1827-30	11,820	21,178	179
NATIVE TROOPS.			
Fort St. George, Madras Presidency, 4 years, 1827-30	74,851	39,449	54

The attacks of disease vary in frequency to a great extent in unhealthy and salubrious situations: but the experience of the East India Company's labourers, of the children belonging to the Bennet Street School, which has the best regulated sick society of any in Manchester, and of the artisans of the Trades Club in Wurzburgh, all receiving pay during sickness, and only falling on the funds in cases of some duration and severity, tends to show that 100 of the efficient male population of this country are not liable to more than 25 severe attacks of disease in the year. Each man is liable to a protracted disease, disabling him from work, every four years: this forms one great section of the sickness of the country; but it does not include syphilis, accidents from fighting and drunkenness, or the many ailments which make men apply for medical advice, while they carry on their occupation, comprising, perhaps, as many more cases of a slighter character, which raise to 50 per cent. the proportion of the population attacked annually. In the Portsmouth dockyard 37·8 per cent. of the men fall ill, 16 per cent. meet with accidents, in the year: besides accidents, the attacks of sickness in Sheerness amounted to 43·7 per cent. The reported attacks of sickness in Sheerness are exclusive of accidents; and if, as is probable, the same exclusion was made in the other returns, the spontaneous cases amounted to nearly 50 per cent. in Chatham and Pembroke. By excluding the slighter cases, the attacks of sickness may be reduced near the level of the preceding series: in the healthiest dockyard, Plymouth for example, out of 2,147 cases, 635 did not exceed three days' duration; and, by subtracting these, the proportion attacked in 100 will be reduced from 34·7 to 24·4. Accidents, although excepted here, ought not to be excluded, because they occur as common inevitable causes of disease among all classes of the people, and raise the sickness to a considerable, although varying, extent; in Portsmouth, the increase of cases from this cause was 42 per cent. Except Plymouth, the dockyards appear to fall somewhat below the national standard of health; more than 50 in 100 of the men are attacked by sickness of one sort or other annually. In Sheerness, out of 1,422 cases of sickness, 263 were agues, 142 rheumatisms, 68 cholics and cholera. The Report of the Liverpool Society, by the surgeon, Mr. Parr, shows that 57·2 per cent. of the members receive medical advice in the year. Mr. Parr makes a useful distinction between the patients attended at their own houses and those seen at his surgery: the first, not quite comprehending all disabled for work, were 17·8 per cent., nearly a third of all the patients treated. Among 100 members, 8·6 met with accidents

* *Annales d'Hygiène*, p. 462. Avril, 1836. There were in this Maison Centrale 24 prisoners between 13 and 16 years of age. The rest were, no doubt, much older than the English prisoners; which will partly account for the high rate of mortality. The days of sickness amounted to 24,313; or 22·3 days each case. During this year cholera was in Nimes. In the 60 English prisons the mean number of annual deaths in the four years 1830, 1831, 1833, 1834, was 101; in 1832, the year cholera prevailed, 162 died.

in the year. The return from the Deanston cotton works, in Scotland, after deducting cases of less than three days' duration, makes the annual attacks of sickness among males 20, among females 44·8 per cent. This difference between males and females deserves attention; it is produced by rheumatisms, diarrhœas, and even wounds, but more particularly by catarrh and headach. The female cases approach the nearest to the total attacks; as the wages of women are lower, and they give over working abroad on slighter occasions than males. Almost an equal difference is visible in the Lancashire cotton works; in Glasgow the difference is trifling. Females leave off work, and apply for medical advice, more frequently than males; but as their mortality between 15 and 40 is but a little higher, the same must hold respecting severe illnesses. The cases observed in factories, only reported on the recollection of the workmen, would very likely include nearly all the serious diseases, and a varying proportion of the slighter distempers which detained them from work. The attacks of sickness among paupers, — the feeble, crippled, maimed, idiotic, crazy, miserable, dirty, dissolute, vicious, unfortunate,—rejected as refuse from all the foregoing classes, are more numerous than the attacks to which select labourers are liable; and medical men, in undertaking to attend paupers, should bear this in recollection. For the facts relating to English prisoners we are indebted to a highly interesting paper of Mr. Chadwick, in which, by collating the dietaries of 60 prisons in England and Wales, he has rendered it probable that the lowest prison *diet* does not increase sickness. An accurate return of the average population of the prisons, the ages of the prisoners, the diseases and deaths, the amount of labour performed, and information concerning the ventilation of the cells, will, in a few years, settle this question: the average population in this table was assumed to be furnished by the numbers remaining at 5 times in each of the 60 prisons."

We are unacquainted with any data from which the absolute morbility of the British population can be deduced, any more than the mean duration of each case, and the mortality of the sick, with which it is intimately connected. Several interesting observations on distinct classes, and on the morbility, and duration of sickness at different ages, however, exist. At the age of 20 — 50 the duration of each attack among the East India Company's labourers was 22·2 days, and with the pension time 36 days: 7·8 in 100 cases died, or 7·4 exclusive of pensioners. The duration of these cases approaches very near the term of treatment in 14 Paris hospitals, where patients are admitted indiscriminately, and continue till they recover or die; in 1819—1825, the mean number, 3,947 patients, remained 35 days. In the hospitals of this country, where adults and more chronic cases are received, but at the same time are often sent out before death occurs, the patients continue longer under treatment; in the county hospitals (31) of Ireland, 38·3 days; of England, 39·4 days; of the metropolis 42 days.* Where slighter and ephemeral cases are counted, and organic diseases are excluded, the duration of cases among adults does not, according to the returns from the dockyards, exceed 12 days. In Corfu, 1816–1824, the mean duration of all the diseases (14,098) was 16·1 days.

It is of great importance for medical men to know the average number of deaths in all the cases that come under their care, in order to judge of the remedial influence of medical appliances. The hospitals furnish some, although inadequate information on this head. The sanability of the sick appears to decrease in the large cities; partly, it may be, because more serious accidents are admitted.

Hospitals.	In-Patients treated in 1 Year.	Mean Number of In-Patients.	Deaths.	Deaths out of 100 Patients.	Deaths in 36·5 Days out of 100 Patients.
Salop, 4 years (1830—33)	955	92	34	3·7	3·6
Winchester, 1 year (1833—34)	798	83	31	3·8	3·7
Salisbury, 1 year (1833—4)	894	88	27	3·1	3·1
Chester, 2 years (1833—5)	489	45	20	4·2	4·5
Manchester, 1 year (1831—2)†	1,784	128	128	7·2	10·0
Liverpool, 1 year (1831)‡	1,960	220	109	5·6	5·0
Bristol, 1 year (1828—9)	1,483	195	160	9·5	8·2
London, 7 hospitals	15,740	2,191	1,605	9·0	7·6

* *British Medical Almanac* for 1836.

† Deaths rather higher in 1833–4. In the 80 years, 1752—1832, only 4·93 per cent. of the patients died.

‡ *Factories' Inquiry, Sup.*, p. 306. The other facts are from the *British Medical Almanac*.

These observations are in conformity with what is seen in other hospitals: the deaths among the patients in the London hospitals agree very nearly, when the time is the same (36 days), with the deaths among the London labourers (7·5 : 7·8), and the ratio of their ages is not very different. The deaths in 100 attacks were, among the Bennet Street Scholars 4·24; the Wurzburgh artisans, 3·33; the British troops in Corfu, 2·3; in Fort St. George, 2·7; in Bengal, 3·3; the native troops, Fort St. George, 2·6; while the deaths out of 100 living in these places were respectively 0·95, 0·76, 2·74, 4·8, 5·7, 1·4. The higher absolute mortality produced by external causes is due in part to the increased number of attacks, and in part to the greater fatality of the cases. * In like manner the sick time is augmented principally by the attacks, and but slightly by the cases lasting longer.

Men placed in the same circumstances appear equally liable to an attack of sickness between 11 and 60 years of age; 100 of the London labourers, in each of the decennial periods, 20–30, 30–40, 40–50, 50–60, had nearly 23·5 attacks of sickness annually; the highest number was 26·4, the lowest 22·4. A closer agreement could not, considering the extent of observation, and all accessory circumstances, be expected. A greater number of cases appear under 30, and as age advances; because, as Mr. Leese, when questioned, informed us, old and young men were placed on the sick list for slighter ailments than men between 30 and 50; and this is confirmed by the fatality of the cases at these early and late ages not being proportionally great. The *proportion* of attacks (Table 14. col. 7.) was deduced from the men on the working list; it should have been calculated from all the men living †, including pensioners, and this would have raised the proportion of attacks after 40; for the proposition is, that 100 men aged 30 will suffer in the same circumstances as many attacks of disease as 100 men aged 50 or 60; and the 100 men embrace the sick, pensioned, or disabled, which become more numerous as age advances. Collected for another purpose, the Factories' Returns of sickness, notwithstanding the irregularity resulting necessarily from limited observations and defects which pervade equally the whole series, exhibit between 11–31 but inconsiderable oscillations in the number of attacks, whether among males or females. Out of eight series of tables we select those founded on the greatest number of facts. ‡

Attacks of Illness in each Quinquennial Period of Age, indicated by the Interval between each Attack.

Ages.	Lancashire.		Glasgow.	
	Males.	Females.	Males.	Females.
11–16	3·8 years	2·8 years	2·6 years	2·2 years
16–21	3·7 "	2·3 "	3·1 "	2·4 "
21–26	3·7 "	2·4 "	2·2 "	2·3 "
26–31	3·2 "	2·1 "	2·3 "	2·4 "

The mean duration of each case increases as age advances. So if we take in the pension time under 60, inasmuch as the greater part of it legitimately appertains to the antecedent attack, the mean duration of each case among the East India Company's labourers was in the four decennial periods 20–60 respectively 22·5, 33·9, 47·7, 98·8 days. In all the Factory Returns, the duration of the cases increases in like manner, although, for obvious reasons, not so fast.

The mortality among the attacked augments with age at the same rate as the mortality among the entire number living. Out of 100 attacked in each of the three decennial periods (Table II.), 20–50, the deaths were respectively 2·9, 6·5, 10·4; the deaths out of 100 labourers, whether sick or healthy, were, in the same periods, 0·82, 1·48, 2·43. The rate of increase was nearly the same.

The sick time increases with age in a geometrical progression (see Tables VIII. IX. &c.). If, therefore, the number of attacks at each age be the same, the duration of

* It must always be recollected that the army observations comprise every case treated; half of which probably would not throw a man on a sick pension fund; so to compare them with the latter, the deaths should be divided by about half the cases. To obtain a rough approximation, therefore, multiply the above army deaths in 100 cases by 2.

† The difference below 50 is trifling; the observation was imperfect, and could only have been calculated on the living by hypothesis.

‡ Deduced from Tables 13, 14.

each attack will increase in the same ratio; and conversely if the duration of the cases and the sick time augment at the same rate, the number of attacks at every age will be equal. Any two of the elements being given, the third may always be deduced from them. Again, if the mortality of the attacked increase at the same rate as the mortality of the entire population, the proportion attacked at every age will be the same. Among the London labourers the mortality between 30–40, 40–50, was 1·48, 2·43 in 100 living; the mortality among 100 attacked was 6·5, 10·4. Now 1·48 is to 2·43 very nearly as 6·5 is to 10·4; and it results from this that the attacks, whatever their absolute number may be, whether 22 or 52, were the same in both periods. The deaths below apply equally to the attacks and to the living: they apply, however high the absolute number of attacks be raised, provided it be raised to the same degree in both periods; but cease to apply if the number of attacks in each period be different.

Ages.	Mean Number living.	Annual Attacks.	Annual Deaths.
30—40	100	22	1·48
40—50	100	22	2·43

We pass over several important applications of these facts to practical medicine, and to practical statistics, where, as in trigonometry, two of the elements of calculation can frequently be measured when the third is inattainable; expressing a hope, however, that they may be made available in the next census to throw much light on the sanatory state of different classes of the population.

Mr. Edmonds first showed, from tables published by Dr. Southwood Smith, that the mortality of the fever patients in the London Fever Hospital between 15—60 increased every year at a rate measured by a constant (1·03) discovered by him, and applied to the construction of tables of mortality; he also first announced, that if the mortality of all patients increased in the same ratio, the number attacked at each age between 15 and 60 must be the same; and moreover, that as the amount of sick time increases as the mortality, the duration of each case will increase in the same ratio.*

External circumstances have the greatest influence in augmenting the attacks of diseases; age and the internal state of the body determine their mortality and duration. When the people of this country are placed amidst destructive agencies, these, like balls in battle, carry them off, by attacking a greater number; they also add to the fatality of the attack; but after a man is seized, age and vital tenacity, exclusively of medicine, are the great modifiers on which his life and sufferings depend. In epidemics the attacks generally become much more fatal at the same time that they are more numerous.

DISEASES.

"*Mille mali species, mille salutis erunt.*"

The diseases which constitute the sickness, disable, and carry off the people of this country, in the midst of their life, form the next section of this investigation. Man's body is compounded of many parts, performing many offices, so diversified in nature that there is, perhaps, no extensive train of phenomena in the universe that does not find its counterpart in his organization; crowned with other and higher faculties of sense and intellect, far removed from any thing observed in inorganic matter. This complexity and completeness of the human body almost justified the ancient opinion "that man was microcosmus, — an abstract or model of the world." For, dust and ashes as it is, who can survey the ruins of the human frame, the bare skeleton to

* *Lancet*, vol. i. 1835-6, p. 855. The rate of sick time rises among the London labourers at the rate indicated by the above constant (1·343 in 10 years); so consequently does the duration of the cases up to 50; when another constant takes its place, and the sickness is doubled (2·15 decennial constant from the age of 50) every ten years. The mortality of the cases, and of the living, increases in a more rapid progression even than in the general population of London; this is due probably to the selection at 20—35.

which it is at last reduced, and in clothing it with muscle and tendon, artery and vein, delicate and incessant chemical action, forces adjusted for circulating fluids, and producing motion, sight, and all sense,—affection, passion, thought,—the history of all it may have done and suffered,—without feeling that a world wrecked in space — a planet in all its aberrations — offers a less interesting spectacle than the phenomena manifested by the human body in its progress to death!

With whatever precision the inquiries in which we have hitherto been engaged may measure the magnitude of the national loss by sickness, in seeking remedies a careful examination of the derangements and distempers to which the variable composition of man's body has made it accessible is required; for disease and death come not in one form or garb, nor can they be arrested in one way: "this subject of man's body," Lord Bacon truly observes, "is of all other things in nature most susceptible of remedy, but then that remedy is most susceptible of error."

The first and most important statistical division of diseases is into epidemics, which attack and often destroy in a short time great numbers of people; endemics, such as marsh fevers, confined to particular localities; and sporadic affections, occurring in an isolated manner, under the ordinary atmospherical influences. The epidemics of this country we have not space to examine here; so we pass at once to the endemics.

ENDEMICS.

The medical topography of England is yet imperfect; but the Provincial Medical Association is now diligently prosecuting this important part of medical inquiry, to which their attention was specially directed in an able paper by Dr. Conolly. The last volumes of the Transactions contain some good topographical articles; that of Dr. Forbes on the Land's End, to which we shall again have occasion to refer, is distinguished for the comprehensiveness, candour, and good sense with which it is drawn up. From the volumes of the association before us, and other sources of information, it does not appear that at present any special endemic prevails in England. Agues are frequent in the marshy districts of the low eastern coast, in Lincoln, in Essex, in Kent, and in Cambridgeshire. The mortality of the latter county, in which the agricultural is 61 per cent. of the total population, rises very high; the marshy isle of Ely making it one of the most unhealthy counties in England. The mortality does not fall particularly on infancy, as M. Villermé inferred, from the error committed by Mr. Rickman, in calculating, against every principle of statistics, tables of mortality, for each county, from the deaths only. The mortality at several intervals of age, calculated from the numbers living and the deaths in the marshy and other counties, may be compared in the table, p. 570.

Wen, *Derbyshire neck*, or bronchocele, exists all over England to a greater or less extent. It is not frequent, except in some of the close valleys, surrounded by hills: from its having been common in Derbyshire, the *Derbyshire* neck designates the peculiar disease in this country. Besides the thyroid gland, this affection involves the brain and the organs of sense: in the Valais, and on both sides the Alps, bands of idiotic Cretins are seen, who almost form a distinct variety in our race. The disease has rarely been carried to this extent in England; moreover, in iodine, medical men have now an almost unfailing remedy for the early stages of bronchocele, as well as for scrofula.

COMMON DISEASES.

Sporadic diseases are the great class of isolated disorders, attacking not by sudden outbreaks, but regularly and constantly a certain proportion of the living. Inflammation of the lungs, consumption, apoplexy, cataract, are examples. No definite line separates them from epidemics and endemics. To discover their relative frequency, and the share each particular malady has in the sum of constant sickness, it is not enough to resort to the bills of mortality; for these only record fatal diseases, taking no notice of the slighter affections, which partially or entirely render a man unequal to his duties: besides, the proportion of deaths from two kinds of disease is rarely, if ever, the same as the relative frequency of their attacks. The deaths induced by consumption, by inflammation of the lungs, and by measles, furnish no direct index of the numbers attacked by these maladies.

Again, in estimating the prevalence of diseases, two things must be distinctly considered; the relative frequency of their attacks, and the relative proportion of sick time they produce. The first may be determined at once, by a comparison of the number of attacks with the numbers living; the second, by enumerating several times the living and the actually sick of each disease, and thence deducing the mean proportion suffering constantly. Time here is taken into account: and the sick time, if the attacks of two diseases be equal, will vary as their duration varies, and whatever the number of attacks may be, multiplying them by the mean duration of each disease will give the sick time.

In Paris the mean duration of fatal cases of cholera was 2 days 13 hours and 8 minutes; 18,400 cases occurred which ended in death; probably an equal number recovered after being ill a week: the entire sick time induced by cholera was, therefore, about 158,118 days, which, divided by the population (774,338), gives less than 5 hours' sickness for each person. The cholera sickness amounted through the year to no more than ·00056 constantly sick. This distinction is of vast importance; for the constantly sick, contributing nothing to their own subsistence, and requiring the care of others, bear with a heavy weight on the community, and when the diseases are chronic only prolonged pains and gloomy prospects brood over the sufferers. For this reason, where the conditions of existence are unfavourable, and a great proportion of the people are weak, sickly, and doomed to untimely death, a sudden epidemic cuts short their agonies, and purifies the race: it is an amputation of members already gangrened, and falling off by inches; at the same time, however, it carries off a great number of the healthy. If those who had cholera in Paris had been seized by consumption, they would have endured 73,600 years of sickness instead of 158,118 days: the living in the epidemics of the middle ages could not have watched the sick if their diseases had been protracted. In this sense only, epidemics can be looked upon as merciful visitations of Providence, for moderating evils self-inflicted on mankind. The comparative prevalence of diseases, of which medical men speak in their writings, seems to involve a compound notion, including the attacks and their duration. As there are few statistical data for determining the relative prevalence of each form of disease, we have only some general remarks to offer.

Insanity has been said to be on the increase in this country. Dr. Powell, secretary to the commissioners for licensing madhouses, showed that the number of lunatics confined in private asylums in England augmented in eight quinquennial periods (1775–1814) from 1,783 to 3,647; and thence deduced the above inference. Willan, Bateman, and Burrows held an opposite opinion. Notwithstanding the returns made to the House of Commons, the data necessary to determine the prevalence of insanity are yet imperfect. Sir A. Halliday, who has collected much information on the subject, states, as the last results of his inquiries, the following facts: —

	Lunatics.	Idiots.	Total Insane.	Proportion of the Population.
England	6,806	5,741	12,547	1 in 1,000
Naval Asylum, Haslar, and the Military Asylum, Chatham	.	.	277	
Wales	153	763	896	1 — 800
Scotland	.	.	5,652	1 — 574
			19,372	

For deficiencies in the returns, he thinks the total number insane in South Britain should be raised to 16,500. Of the insane enumerated in England, 11,000 are paupers, maintained principally at the expense of parishes. The insane are more numerous in agricultural than in manufacturing districts; they are also more numerous in Scotland than in England.

	Population.	Insane.	Proportion.
12 agricultural counties	2,012,979	2,526	1 to 820
12 manufacturing or mining counties	4,193,194	3,910	1 — 1,200

Do these returns prove that the tendency to insanity is greatest in agricultural districts? We do not think they do. It is doubtful whether the greater proportion of idiots, indicated by the returns, proves that proportionally more idiots are *born* in the country, in Wales, or in Scotland, than in London. The number of idiots living

at any one time depends on the duration of their life, as well as on the proportion born: if the Welsh idiots live twice as long as the idiots born in London, twice as many would enter into Sir A. Halliday's enumeration, although the tendency to idiocy was the same in either place. In Wales, and remote villages, the idiot lodges in a cottage, and, supported by the parish, is the qualified butt, and of course the favourite, of the neighbourhood: in towns, he would have more difficulty to survive the nursing in a workhouse. An idiot, Jack of Pool, in Montgomeryshire, lately died, aged 109: he lived near the residence of old Parr, and was clothed by a neighbouring lord, who secured his vote at every election. If we exclude congenital idiots, and only calculate the proportions insane, it is likely that the tendency to madness would be found greater in towns than in the country, — in England than in Wales and Scotland. If lunatics in this and other countries be now better treated than formerly, — and this is incontestibly the case, — their life is necessarily prolonged; and the proportion to the population is increased, although the tendency to insanity may be diminished. The horrible dens in which lunatics were formerly lodged must have greatly diminished their numbers. The number of lunatics, members of the Society of Friends, in the Retreat, near York, has been of late years 64; the mean annual admissions 1812—33 were 15·2 *; and the Quakers in England do not exceed 23,000: consequently out of 10,000 of that body 7 become insane every year, and 28 are constantly in the asylum. But as it appears, from the report of Mr. Tuke, that more than 6 months elapse after the attack before the patient enters the asylum, while 14 per cent. quit the Retreat unrelieved, at least 6 more lunatics out of the asylum must be added to the 28 confined; which will make the insane amongst the Quakers 3·4 per 1000. Is not this a nearer approximation to the insane among the richer classes in England than the calculation of Sir A. Halliday, founded on imperfect parliamentary returns? The Swedish returns of the insane are the only ones obtained in a proper form; they may be recommended to the attention of those called to procure another return for the House of Commons.

Consumption is a disease in which the lungs are principally affected: it begins with a change in the constitution, followed by the deposit of a cheese-like matter, forming tubercles in the lungs, and other parts, ending in ulceration: when this tuberculous matter is deposited in the glands of the neck, and in the bones and joints, it constitutes scrofula; in the glands of the abdomen, mesenteric disease; neither of which affections differs from consumption in its essential anatomical cause. Foreign writers appear to think this disease more prevalent in England than on the Continent; a prejudice probably derived from statistical reports ill understood. Dr. Young and Dr. Woolcombe calculated, from bills of mortality, that in England and Ireland consumption causes one fourth part of the deaths. Dr. Clark believes that, after deducting the deaths in early infancy, a third part of the mortality in this country arises from tuberculous diseases. It is the opinion of this eminent physician, whose opportunities of observation have been very extensive, that consumption and scrofula are stationary among the labouring classes of the country. "But," he adds, "whether tuberculous diseases have diminished or not during the last century among the labouring part of our population, I am of opinion that they have increased in the middle and upper ranks." † The number of children reared has doubled within the last century, and the mortality between 20 and 30 appears on the increase; so that, unless the hygienic precautions, very ably enforced by Dr. Clark, be followed, it is not improbable that an increase of weakly bodies and of consumption may be observed.

Stone. — Mr. Smith of Bristol, and Dr. Yellowly, have bestowed great pains in forming a statistical account of calculous diseases. According to the estimate of Dr. Yellowly, 111 persons are cut every year in England and Wales for stone in the bladder: of these 15½ cases occur among the inhabitants of Norfolk and Suffolk,

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* *A Treatise on Insanity*, by J. C. Prichard, p. 145. A few of the lunatics admitted at the Retreat were apparently not Quakers; but these would not compensate for cases of a mild character never sent to the asylum. See also, pp. 198—201., and pp. 328—351.

† *A Treatise on Pulmonary Consumption*, by J. Clark, M.D. F.R.S., p. 10.

and 31 in London. This will be seen, and the proportion to the population, in the following table. *

TABLE.

Place.	Number of Stone Cases.	Cases per Annum.	Comparative Frequency.
Norfolk, including Norwich	575	10·26	1 in 34,000
Norfolk, excluding Norwich	447	7·98	1 — 38,100
Suffolk	-	5·26	1 — 44,000
London	-	31·	1 — 38,000
Adjacent counties	-	16·	1 — 76,000
England and Wales	-	111·	1 — 108,000
England and Wales, excluding Norfolk and Suffolk	-	95·5	1 — 118,000
Bristol and Liberties	173	2·1	1 — 41,000
Bristol county district	181	2·2	1 — 310,000
Scotland	-	8·	1 — 250,000
Dundee	26	·86	1 — 41,300

The *venereal disease* has diminished in intensity, if not in the frequency of its onsets; it is now, certainly, never communicated by the breath, as it is reported to have been in the fifteenth century. A mild treatment suffices to effect the cure of its common forms, and mercury is no longer employed to an enormous and noxious extent. Syphilis was at first confounded with leprosy; and its virulent eruptions on the skin, aggravated, like other skin diseases, by the filth and vitiated health of the people at the time it became exceedingly prevalent, have subsided into milder forms. The skin diseases, designated leprosy in the middle ages, for the reception (not the cure) of which so many hospitals were erected, survive in the itch, and a few, but not very malignant, eruptions. An able writer in the *British and Foreign Medical Review* † says, "Herpes zoster (shingles) is seldom, in truth, here thought of any importance, although the details of many continental authors abound with descriptions which plainly connect it with formidable constitutional disease. The same, and perhaps a greater degree of violence of character, will be found to prevail in cases of herpes in unhealthy localities, where the people are miserably fed and hardly worked. We see in the descriptions of Alibert, and the author before us, as well as in many others, accounts of almost all diseases of the skin so widely different from any which are observed in the British Islands, that we doubt and occasionally deny their identity." The common acne of the chin, on a part covered with hair, becomes a frightful disease in France. Among the better classes of society in England, if we except lepra, impetigo is more frequently seen than any other skin disease. Scald head and itch are the most frequent among the dirty children of paupers.

FATAL DISEASES, AND THE CAUSES OF DEATH.

Violent death takes place in a thousand forms: but it may generally be referred to obstructed respiration, as in hanging, drowning, suffocation; to loss of blood, as in severe wounds, hæmorrhage, rupture of vessels; to destruction of structure, and a shock, as in falls, blows on the head or spinal marrow, contusions, gunshot wounds; and to devitalisation, if the word may be used, by prussic acid, mental emotion, lightning. Death in its most common form is the effect of disease in the brain and spinal marrow, the blood, the lungs, the heart and blood-vessels, the bowels. Fever, inflammation, and various morbid products, infect the whole system, and prove fatal sometimes by the mechanical injury they do, but more frequently by an alteration of the chemical, physical, and vital processes. Persons die of inflammation in the stomach before its structure is disorganised: fever is at times fatal without producing any essential lesion of a vital part: cholera, plague, and other epidemics, extinguish existence as rapidly as poison.

In presenting a tabular view of fatal diseases, it is desirable on many accounts to arrange them in groups, related as regards their locality, and their essential forms or phenomena. To examine them in these two points of view, we have classified the

* Remarks on the Tendency to Calculous Disorders, by J. Yellowly, M.D. The subject is difficult; but it has been skilfully handled by Mr. Smith and Dr. Yellowly, and every effort was made to obtain the numbers occurring in each particular locality. — (*Trans. of Royal Society*, 1829, p. 1. 55.)

† No. 3., Review of M. Rayer on Diseases of the Skin, p. 149.

several observations (1.) according to the organs or systems of organs implicated; and (2.) according to the special nature of the disease. But with the London bills of mortality a different arrangement was necessary: without following any classification, we have placed infantile diseases, eruptive fevers, plague and fevers, diseases of the bowels, and diseases most resembling each other in their essential phenomena, in the same group. This was necessary, as the nomenclature necessarily varied in the course of two centuries, and the same disease passed under another title. The names of diseases, although derived generally from some very striking feature in the case, are not unfrequently vague and obsolete, so that it is only by a careful study of the contemporary writers that any hope of interpreting them can be entertained.

Col. A. in the annexed table is dedueed from 65,706 observations made in the 7 years, 1629-1635, the first published: col. B. from 426,253 diseases recorded in the 20 years, 1660–1679, a period made the subject of Sydenham's immortal works: col. C. from 732,873 deaths occurring in the 30 years, 1728–1757; cols. D. and E. are in great part from Mr. Milne's work on Annuities: col. F. presents the results of the five last bills (1831–5), and the actual fatal diseases of London, so far as they are exhibited by the present system of registration. It is calculated on 118,895, the total deaths, exclusive of the still-born.

XVII. Table of the fatal Diseases of London for the last Two Centuries; showing, in 1,000 Deaths, the Proportion by each particular Disease.* (See next page.)

Some of the terms in this table require explanation. The moldshot head, or horseshoe head, was a chronic form of water on the brain (*hydrocephalus*); but under the name of dropsy or sometimes inflammation on the brain, the acute stage of this disease, before deformity supervenes, is now registered. It is really inflammation of the brain in scrofulous children. Livergrown was applied to the swelling of the abdomen, the liver, and spleen, occurring in children after intermittents.† Rickets, a form of scrofula, is now exceedingly rare. Sydenham acutely remarks, that the true rickets rarely happen, except in those years when autumnal intermittents prevail‡: livergrown and rickets, apparently confounded at first, disappeared from the bills with the reign of intermittent fevers. Croup and hooping cough are increasing rapidly, if they were not formerly mixed up with convulsions, which took the place of chrisomes, in expressing the undefined diseases of infancy. The common diseases of childhood are irritation of the mucous membranes, inflammation, and scrofula. § Tubercles are rare in the first year; between the fourth and the ninth year of age, M. Papavoine found tubercles in 70 per cent. of the children that died in the Hôpital des Enfans Malades in Paris. They were, doubtless, equally frequent in London.

Scarlet fever was at first confounded with measles; it was joined, in 1731, with fever, and only made a separate item in 1831. Griping, twisting of the guts, bloody flux, and plague in the guts, were the homely Saxon synonyms of dysentery. *Surfeit*, with respect to its symptoms, resembled *cholera morbus*, which, raging epidemically in August, was attributed by the vulgar to eating too much fruit. Stopping of the stomach is the iliac or cœliac passion, "which," says Sydenham, "deserves to be enumerated among the symptoms consequent upon fevers." Its great frequency (1629–79) was probably owing to contraction of the bowel after fever and dysentery. No commentator on the bills of mortality has been able to explain the great mortality attributed to *rising of the lights*; Sydenham, however, solves the question, in

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* Column C. was calculated by Mr. Corbyn Morris; it includes, as well as col. B., the still-born: to compare these columns, therefore, strictly, with cols. A., D., E., F., from which the still born were excluded, the items of col. B. must be raised 1-36th, of col. C. 1-42d. Col. E. is from Mr. Milne's work on annuities; who, it will be perceived did not calculate the minor items.

† *Sydenham's Works*, vol. i. p. 102–10.

‡ Ibid. vol. i. p. 104.

§ *Traité des Maladies des Enfans.* Par C. Billard.

	A. 7 Years, 1629—35.	B. 20 Years, 1660—79.	C. 30 Years, 1728—57.	D. 10 Years, 1771—80.	E. 10 Years, 1801—10.	F. 5 Years, 1831—35.
Abortives and stillborn	- -	26·8	23·0			
Chrisomes	247·7	36·1				
Overlaid	1·1	2·8	- -	·2		
Convulsions	22·2	77·8	277·0	271·9	- -	92·6
Worms	2·7	1·5	0·5	·3	- -	·2
Teething	49·7	54·0	50·0	36·0	- -	14·1
Inflammation of the brain	- -	- -	- -	- -	- -	5·7
Mold-shot head, dropsy on the brain	- -	0·4	4·0	1·0	- -	33·2
Rickets	1·0	17·6	2·0	·1		
Livergrown	8·5	0·9	0·2	·05		
Canker, thrush	3·3	3·4	4·3	3·8	- -	4·4
Croup	- -	- -	- -	- -	- -	5·8
Chin-cough	- * -	1·2	5·2	17·3	- -	39·5
The above infantile diseases	336·2	195·7	343·2	329·75	270·3	195·3
Smallpox	37·8	50·9	80·0	100·3	69·5	26·9
Measles	3·3	5·8	7·0	9·5	32·1	27·0
Swine-pox, chicken-pox, rash	·6	·1	1·01	·1		
St. Anthony's fire, or erysipelas	- -	0·06	0·1	·1	- -	2·9
Fever, scarlet	- -	- -	- -	- -	- -	16·7
Fever	127·1	95·9	148·3	124·1	89·9	33·8
intermittent	- -	- -	- -	- -	-	·8
spotted	9·0	11·1				
Plague	25·0	161·7				
Griping of the guts, colic, twisting, wind	2·2	102·5	9·0	2·3	- -	0·4
Bloody flux, flux	42·5	6·7	1·4	1·0	·3	
Cholera morbus or surfeit	12·6	18·5	0·1	0·5	- -	42·3
Vomiting and looseness, diarrhœa	0·3	1·6	0·6	·3	- -	1·4
Stopping of the stomach	·3	12·6	5·0	·6		
Constipation	- -	- -	- -	- -	- -	1·0
Rupture	·6	1·3	0·7	·5	- -	1·2
Quinsey, sore throat	·8	1·5	0·7	1·0	- -	1·5
Cough and cold	5·1	- -	- -	0·2		
Pleurisy	2·8	0·7	2·0	1·0	1·3	12·1
Influenza	- -	- -	- -	- -	- -	1·2
Inflammation	- -	- -	2·0	6·2	34·5	96·0
of bowels, stomach	- -	- -	- -	- -	- -	15·2
Indigestion	- -	- -	- -	- -	- -	0·3
Disease of the heart	- -	- -	- -	- -	- -	5·4
Asthma and tissick	- -	- -	21·0	17·1	30·3	42·4
Consumption	201·1	153·4	170·0	224·3	243·5	177·2
King's evil	2·7	2·4	1·0	1·0	- -	0·9
Fistula	2·6	2·1	0·5	·2	- -	0·1
Stricture	- -	- -	- -	- -	- -	0·7
French pox	1·5	3·0	3·0	3·1	- -	0·2
Cancer	- -	- -	2·0	3·4	- -	4·4
Sores, ulcers	2·4	2·6	1·0	·8		
Mortification	- -	v. fistula	9·0	9·9	- -	10·6
Abcess, imposthume	17·3	5·0	1·0	·2		6·6
Tumour	- -	- -	- -	·1	- -	1·2
Scald head, itch, leprosy	† -	† -	0·4	·2		
Scurvy	0·4	2·6	0·1	·2		
Gravel, stone, strangury	5·0	3·0	1·0	1·9	- -	0·9
Gout, sciatica	·3	0·6	2·0	3·1	4·5	3·1
Rheumatism	- -	- -	- -	- -	- -	1·7
Jaundice	6·5	3·7	5·0	5·8	- -	2·1
Liver disease	- -	- -	- -	- -	- -	12·8
Diabetes	- -	- -	0·06	·05	- -	0·3
Dropsy	29·7	42·6	41·0	45·1	44·5	37·6
on the chest	- -	- -	- -	- -	- -	4·0
Bleeding piles	0·4	0·1	·2	·4	- -	2·0
Apoplexy	2·5	3·7	9·0	11·1	16·6	18·5
suddenly	6·7					
Palsy, lethargy	2·8	2·0	2·3	3·7	6·5	8·6
Spleen and vapours	- -	·3	0·05			
Green sickness	- -	- -	·002			
Rising of the lights and mother	8·3	9·1	0·5	·02		
Grief	1·7	·6	0·4	·2		
Fright	·03	·1				
Falling sickness	·6	·06	·01	- -	- -	1·5
Jawfallen	1·1	·02	- -	- -	- -	·2
Spasm	- -	- -	- -	- -	- -	2·9
Blasted, planet-struck	·8	·1				
Calenture, megrims	·4	·2				
Headach	- -	- -	0·03	·05		
Lunacy	·5	·4	3·0	2·7	- -	7·6
Hydrophobia	- -	- -	- -	·03	- -	·2
Various	·4	·8	- -	·02		
Old age, bedridden	74·1	47·4	78·0	64·7	81·8	111·5
Unknown causes	- -	- -	- -	- -	- -	27·4
Found dead	1·9	·4	- -	·3	- -	·3
Visitation of God	- -	- -	- -	- -	- -	1·8
Starved	- -	·01	- -	·2	- -	·01
Killed by drinking to excess	- -	- -	- -	·3	- -	·4
Suicide	·7	·7	- -	1·6	1·93	2·2
Drowned	3·8	3·3	- -	5·8	6·65	5·0
Smothered	·6	·1	- -	·3	- -	0·04
Burned	·6	·4	- -	·6		
Poisoned	·03	·1	- -	·06	- -	0·3
Killed	5·4	2·8	- -	3·1		
Accidents	- -	- -	- -	·3	- -	7·4
Murdered	·3	·6	- -	·3	- -	·17
Executed	1·6	·8	- -	1·1	- -	·16
Total of the above casualties	14·9	9·2	16·0	14·0	17·2	17·78
Childbed and miscarriage	16·1	12·2	8·0	9·4	10·9	13·4

* Perhaps cough and cold should come in this place.
† Under "Various."

treating of this distemper under hysteria, which, as it simulates, was confounded in females with almost every other disease. Diseases of childbed, often accompanied with hysterical symptoms, were evidently reported under this title. *

The preceding table, founded on the deaths, only indicates the relative mortality produced by different classes of disease. The following table expresses the liability of the living to death by all the great classes of diseases during 6 periods of the last two centuries. The first and most difficult step here was to determine the absolute rate of mortality in the 6 periods. The population in the liberties of London, enumerated in 1631, was 130,178; the deaths in the liberties during the 8 years, 1628–35, were 54,299, of which 1-24th were still-born: excluding these, the annual mortality was 5 per cent. This represents the mortality of years free from pestilence, but not the absolute mortality of the period, which, for the 24 years, 1620–43, was 7 per cent. Column A. shows, therefore, the fatality of diseases in years intercurrent between epidemic years. Column B. is an approximation to the mortality and diseases of London in the middle ages, although it includes 14 years subsequent to the great fire, and to the last epidemic. † The mortality of London in the 17th century did not differ very sensibly, before the French revolution, from the mortality in the current years, 1629–35: the mean expectation of life at birth, 1728–37, was calculated by Mr. Simpson to be 19·2 years; while in the 10 years, 1771–80, it was 19·6 by Dr. Price's 16th table. Nearly 5·2 and 5·1 deaths happened annually out of 100 persons living. The mortality of London in 1801–10 had considerably diminished, and was estimated by Mr. Milne to be 1-34·19 annually — 2·92 per cent. ‡ The annual deaths in the 18 years, 1813–30, are stated by Mr. Edmonds at 2·82 per cent.; and as the deaths reported in the bills, 1831–5, were 1-8th more than the deaths in the 5 years preceding, the mortality has been assumed to be 3·2 per cent. in this period, including an epidemic year.

III. Table showing the mean annual Number of Deaths in London produced by 20 Classes of Disease out of 100,000 living.

By	A. 1629–35.	B. 1660–79.	C. 1728–57.	D. 1771–80.	E. 1801–10.	F. 1831–5.
Chrisomes, overlaid, convulsions, worms, teething, mold-shot head, dropsy on the head, inflammation of brain, rickets, livergrown, canker, thrush, croup, hooping cough	1,681	1,591	1,827	1,682	789	625
Smallpox	189	417	426	502	204	83
Measles	16	47	37	48	94	86
Scarlet fever						53
Fever	636	785	785	621	264	111
spotted	45	90				
Plague	145	1,223				
Dysentery	221	894	50	17	1	1
Surfeit or cholera	63	148	1			135
Inflammation			10	31	101	307
Pleurisy	14	6	10	5	4	39
Asthma and tissick			112	85	89	136
Consumption	1,021	1,255	905	1,121	716	567
King's evil, scrofula	14	19	5	5		3
Dropsy	146	349	218	225	131	133
Apoplexy and suddenly	47	90	48	55	49	59
Palsy and lethargy	14	17	12	18	19	28
Old age, bedridden	370	388	415	324	241	357
Casualties	65	76	85	70	40	57
Childbed and miscarriages	80	100	45	47	32	43
Unknown causes						88
Other diseases	253	565	211	144	146	289
Deaths in 100,000 living	5,000	8,000	5,200	5,000	2,920	3,200

* *Sydenham's Works*, vol. ii. pp. 103–114.

† The enumeration of 1631 was published by Graunt in the Appendix to his observations under the title "Anno 1631, ann. 7 Caroli I. The Number of Men, Women, and Children, in the several Wards of London, and Liberties, taken in August, 1631, by special Command from the Right Honourable the Lords of His Majesty's Privy Council." The results agree remarkably with the later enumerations, three of which, 1801, 1811, and 1821, make the population of the liberties of London (97 parishes within and 16 parishes without the walls) 130,100, including a correction for seamen and strangers. Without correction, the population, in 1831, was 123,683. The enumeration of 1631 has, therefore, been made the basis

‡ *Treatise on Annuities, &c.*, by Mr. Milne, vol. ii. p. 428.

REMARKS.

1. The diseases of London in the 16th century still prevail in unhealthy climates: not only the diseases and the manner of death have changed in this metropolis, but the frequency and fatality of the principal diseases have diminished.

2. The reported cases of fever, plague, cholera, and dysentery, constituted 4-10ths (·396) of the diseases: they destroyed annually, on an average, 31 per 1,000 of the inhabitants; five times as many as are now carried off by consumption.

3. *Fever*, *plague*, and *dysentery*, were most fatal to adults; but they of course carried off a considerable number of children. Convulsions, and other diseases of infancy, did not decline till the 18th century. The diseases of adults first diminished in violence; and as the state of the city and medical knowledge improved, the diseases of infants decreased.

4. *Smallpox* attained its maximum mortality after inoculation was introduced. The annual deaths of smallpox registered 1760–79, were 2,323; in the next 20 years, 1780–99, they declined to 1,740: this disease, therefore, began to grow less fatal before vaccination was discovered; indicating, together with the diminution of fever, the general improvement of health then taking place. In 1771–80, not less than 5 in 1,000 died annually of smallpox; in 1801–10 the mortality sank to 2; and in 1831–5 to 0·83.

5. *Measles* became gradually more general in the 18th century; but in 1801–1810, after vaccination was introduced, twice as many died of measles as had died of this exanthem in 1771–80. If scarlet fever and measles, however, have somewhat increased in frequency, the mortality of the three diseases, smallpox, measles, scarlet fever, is only half as great (·0022) as the mortality formerly occasioned by smallpox alone (·005).

6. *Fever*, exclusively of the plague, has progressively subsided: since 1771, *fever has declined nearly in the same ratio as smallpox*. In the 3 latter periods of the table the deaths from fever decreased as 621 : 264 : 114; from smallpox as 502 : 204 : 83.

7. *Cholera morbus* was as fatal in 1660–79 as in 1831–5: in 1831–5 out of 1,000, but 1·35 are stated to have died of cholera; in 1660–79, the deaths from this disease were 1·48. *

8. Other *inflammations* besides inflammation of the lungs unquestionably prevailed in London before 1704, when the word found its way into the bills; but its present comparative frequency is not entirely due to a change of nomenclature. Fevers were the reigning diseases, and an impure atmosphere communicated their character to the inflammations; which are still relatively less frequent where fever and dysentery prevail. In Corfu, 1815–21, out of 325 deaths among our troops, 12 were attributed to inflammations, besides 10 to hepatitis; while 223 were ascribed

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of these calculations; as it is not probable the population, in the same space, ever exceeded 130,178. The deaths in the 97 + 16 parishes during 31 years, 1616–46, amounted to 279,964; which diminished $\frac{1}{24}$ for the still-born, and divided by the population (130,178) of the intermediate year, give 6·68 as the annual rate of mortality. The fire disturbed the observations in 1666, so that it was more difficult to obtain an approximation to the mortality in the 20 years, 1660–79: but the enumerated deaths in the 10 years, 1670–79, were 94,644; in the 5 years, 1660–4, 483,000; in 1665, the epidemic year, 56,558; whence 237,349 were deduced as the total deaths in the 20 years. Reduced $\frac{1}{24}$ for the still-born, the annual rate of mortality was 8·85 per cent.; but, to avoid the risk of exaggeration, the rate of this period, including the plague year, 1665, has been stated in the table at 8 per cent.

* *Sydenham's Works*, vol. i. pp. 218. 433. "Cholera comes almost as constant at the close of summer, and towards the beginning of autumn, as swallows in the beginning of spring, and cuckows towards midsummer." He closes an accurate description by remarking, that it "often destroyed the patient in 24 hours." Dr. Craigie has demonstrated the antiquity and identity of cholera all over the world: before the last eruption, it had been epidemic in India. He cites a remarkable case from Morton. *Edinburgh Journal*, 1833.

to fever, plague, and dysentery. Sydenham classes pleurisy, bastard pneumonia, rheumatism, erysipelas, and quinsey, together, under the title "intercurrent fevers:" after distinguishing the idiopathic from the symptomatic disease, he says, "I conceive pleurisy to be only a fever occasioned by a peculiar *inflammation of the blood*, whereby nature throws off the peccant matter upon the pleura, and sometimes upon the lungs, whence a pneumonia arises." Fever, then, involved in its vortex the comparatively rare inflammations; inflammation (a vague term) now happening more frequently in a pure form, and proved by *post mortem* examinations to prevail very extensively, has apparently recovered, not only its rightful possessions, but several of the unappropriated, unknown diseases, particularly of children.

9. *Consumption* was exceedingly fatal when fevers and dysentery reigned: it is now very fatal among the British troops in the West Indies. Its relative frequency increased down to 1810; in other words, fever and dysentery decreased more rapidly than consumption. The actual proportion of persons destroyed by this disease, as well as other forms of scrofula (rickets, and evil) has, except in the anomalous period of 1771–80, progressively declined among the mass of the population in London. If asthma and tissick be added, the declension will be little less apparent.

10. *Dropsy* has latterly been proved to depend frequently on diseases of the heart and of the kidneys: its connection with agues and dysentery, and with diseases of the liver and spleen, is confirmed by the table.

FATAL DISEASES AT DIFFERENT AGES.

The diseases proving fatal in childhood, manhood, and old age, are not the same: for this reason, to determine the peculiar diseases — the nature of the dangers — we have to encounter at different periods of life, becomes a most important problem. Very few statistical observations exist, in which the deaths from each disease, at different ages, are enumerated. The observations of Dr. Heysham, at Carlisle, when he collected the facts on which the Carlisle table is formed; the diseases of which 4,095 persons, assured in the Equitable Office, died; the bills of mortality of the Anglo-American population in Philadelphia, — are, we believe, the only data of the kind yet published, either in Europe or America.*

Mr. Milne, in whose valuable work the Carlisle observations were published, justly remarks, that "the tables of Dr. Heysham had the advantage of being constructed by a skilful physician, capable of discriminating accurately between the different diseases; who either visited the patients himself, or had the means of procuring accurate reports from his medical friends." The arrangement of Cullen, which Dr. Heysham followed, is so artificial, as to render it very ill suited to statistical purposes, where it is desirous to bring facts together not only allied in one fugitive point, but in their fixed anatomical or general characters. The arrangement adopted in the following tables is twofold: fatal diseases are (1) arranged according to the organs they involved, (2) and according to their pathological nature. The arrangement, we admit, is imperfect; but some arrangement was necessary, and this brings together many interesting features.

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* According to the late act providing for the registration of births and deaths, the causes of death are to be recorded. This is one of the most important clauses of that measure, and, in a few years, will enable us to determine of what diseases the different classes of the English people die, at all ages, and in all circumstances.

I. Table which shows the Number of Deaths by each Disease, that took place in each of the undermentioned Intervals of Age, at Carlisle, during 8 Years, commencing with 1779, and ending 1787, excepting 1780.

Diseases arranged according to their Seat.	Ages. 0-5.	5-10.	10-15.	15-20.	20-30.	30-40.	40-50.	50-60.	60-70.	70-80.	80-90.	90 &c.	Total.
BRAIN.													
Dropsy of	2	2	1	-	-	-	-	-	-	-	-	-	5
Apoplexy	-	-	-	1	-	2	5	9	11	4	-	-	32
Palsy	-	-	-	-	-	-	1	5	4	3	1	-	14
Convulsions	10	-	-	-	-	-	-	-	-	-	-	-	10
Epilepsy	-	-	-	1	1	1	-	1	-	-	-	-	4
Insanity	-	-	-	-	-	1	-	-	-	1	-	-	2
	12	2	1	2	1	4	6	15	15	8	1	-	67
LUNGS.													
Pleurisy	3	2	1	1	-	1	2	2	5	2	-	-	19
Consumption	34	15	10	15	45	34	31	15	15	-	-	-	214
Asthma	1	-	-	-	-	-	2	9	11	4	-	-	27
Chin-cough	18	1	-	-	-	-	-	-	-	-	-	-	19
Influenza	-	-	-	-	-	-	-	-	1	-	-	-	1
	56	18	11	16	45	35	35	26	32	6			280
BLOOD. (1.) *Intestines.*													
Fever, inflammatory	3	-	-	-	1	-	-	1	-	-	-	-	5
— nervous	2	3	1	4	3	9	15	13	7	2	-	-	59
— putrid	5	4	1	2	8	5	8	4	5	1	-	-	43
— jail	4	2	1	2	-	2	3	-	-	-	-	-	14
— intermittent	-	-	-	-	-	-	-	1	-	-	-	-	1
— infantile remittent	19	8	-	-	-	-	-	-	-	-	-	-	27
(2.) *Skin.*													
Scarlet fever, Sore throat 3	34	4	2	1	1	-	-	-	-	-	-	-	42
Measles	28	2	1	-	-	-	-	-	-	-	-	-	31
Smallpox	225	8	2	-	3	-	-	-	-	-	-	-	238
Aphthæ	63	2	-	-	-	-	-	-	-	-	-	-	65
Miliary fever	-	-	-	-	1	-	-	-	-	-	-	-	1
	383	33	8	9	17	16	26	19	12	3			526
HEART.													
Fainting	-	1	-	1	-	1	2	1	-	1	-	-	6
ORGANS OF DIGESTION. *Mouth.*													
Teething	3	-	-	-	-	-	-	-	-	-	-	-	3
Stomach.													
Indigestion	-	-	-	-	-	1	6	5	8	1	-	-	21
Inflammation, Tumour 1	-	-	-	1	-	-	-	1	-	-	-	-	2
Intestines.													
Diarrhœa	7	1	1	1	-	1	2	2	1	2	-	-	18
Costiveness, Colic 1	1	-	-	-	1	-	-	-	-	-	-	-	2
Rupture	-	-	-	1	-	-	1	-	-	-	-	-	1
Liver.													
Jaundice	3	-	-	-	1	-	5	2	-	2	-	-	13
Abscess	-	-	-	-	-	-	1	-	-	-	-	-	1
	14	1	1	3	2	2	14	10	9	5	-	-	61
URINARY ORGANS.													
Diabetes	-	-	-	-	-	1	-	-	-	-	-	-	1
Stone and gravel	-	-	-	-	1	-	1	-	6	1	-	-	9
Suppression of urine	-	-	-	-	-	-	-	-	1	-	-	-	1
					1	1	1		7	1			11
ORGANS OF GENERATION.													
Venereal disease	-	-	-	-	1	-	1	-	-	-	-	-	2
Uterus.													
Amenorrhœa	-	-	-	-	-	1	-	-	-	-	-	-	1
Menorrhagia lochialis	-	-	-	-	-	-	3	-	-	-	-	-	3
Difficult delivery	-	-	-	-	4	4	1	-	-	-	-	-	9
					5	5	5						15

SUMMARY.

Organs of generation	-	-	-	-	5	5	5	-	-	-	-	-	15
Urinary organs	-	-	-	-	1	1	1	-	7	1	-	-	11
Organs of digestion	14	1	1	3	2	2	14	10	9	5	-	-	61
Heart	-	1	-	-	1	2	1	-	1	-	-	-	6
Blood	383	33	8	9	17	16	26	19	12	3	-	-	526
Lungs	56	18	11	16	45	35	35	26	32	6	-	-	280
Brain and spinal marrow	12	2	1	2	1	4	6	15	15	8	1	-	67
* Diseases of different organs	466	52	21	30	72	65	88	70	76	23	1	-	966
* Of uncertain seat	243	20	9	8	7	16	20	24	76	111	88	27	649
Total	709	74	30	38	79	81	108	94	152	134	89	27	1,615

* Mortifications 3, rheumatism 6, gout 4, weakness of infancy 204, decay of age 226, dropsy 49, scrofula 3, cancer 5, unknown diseases 115, accidents 29, green sickness 1, discharge of blood 1, ulcer 3=649. All these diseases, except the two last, are classified in Table II.

II. Fatal Diseases observed in Carlisle, from 1779 to 1787, and registered by Dr. Heysham; arranged in Groups according to their Nature.

Diseases.	Ages.								
	0-5.	5-10.	10-20.	0-20.	20-40.	40-60.	60-80.	80-105.	Total.
Living	1,096	967	1,481	3,544	2,348·5	1,540	669	74	8,177
Inflammations.									
Pleurisy and pneumonia	3	2	2	7	1	4	7	-	19
Inflammation of stomach	-	-	1	1	-	-	-	-	1
Diarrhœa	7	1	2	10	1	4	3	-	18
Abscess of the liver	-	-	-	-	-	1	-	-	1
Ulcer 3, and Mortification	-	-	+	-	-	2	3	1	6
Rheumatism	-	-	-	-	-	1	5	-	6
Gout	-	-	+	-	-	3	1	-	4
Fevers.									
Inflammatory (synocha)	3	-	-	3	1	1	-	-	5
Typhus { nervous 59 putrid 43 jail 14	11	9	11	31	27	43	15	-	116
Infantile remittent	19	8	-	27	-	1	-	-	28
Intermittent 1									
Scarlet fever	34	4	3	41	1	-	-	-	42
Sore throat 3									
Measles	28	2	1	31	-	-	-	-	31
Smallpox	225	8	2	235	3	-	-	-	238
Miliary fever	-	-	-	-	1	-	-	-	1
Aphthæ (thrush)	63	2	-	65	-	-	-	-	65
Serous Effusions.									
Anasarca and ascites	1	1	5	7	8	12	19	3	49
Hydrocephalus	2	2	1	5	-	-	-	-	5
Consumption and	34	17	25	76	79	47	15	-	217
Scrofula 3									
Cancer	-	-	-	-	-	2	4	-	6
Tumour of the stomach 1 (scirrhus)									
Stone and gravel	-	-	-	-	1	1	7	-	9
Fragility of Bloodvessels.									
Apoplexy	-	-	1	1	2	14	15	0	32
Palsy	-	-	-	-	-	6	7	1	14
Want of Vital Power.									
Weakness of infancy	204	-	-	204	-	-	-	-	204
Decay of age	-	-	-	-	-	-	116	110	216
External Violence.									
Accidents	7	5	6	18	7	3	1	-	29
Unknown diseases	32	11	5	48	10	18	38	1	115
SUMMARY.									
Inflammations	10	3	5	18	2	11	13	1	45
Dropsies	3	3	6	12	8	12	19	3	54
Fevers	33	17	11	61	28	45	15	-	149
Exanthemata	350	16	6	372	5	-	-	-	377
Consumption and scrofula	34	17	25	76	79	47	15	-	217
Cancer	-	-	-	-	-	2	4	-	6
Stone and gravel	-	-	-	-	1	1	7	-	9
Gout and rheumatism	-	-	-	-	-	4	6	-	10
Apoplexy, palsy	-	-	1	1	2	20	22	1	46
Feeble vitality	204	-	-	204	-	-	116	110	430
Unknown diseases	32	11	5	48	10	18	38	1	115
Accidents	7	5	6	18	7	3	1	-	29
Classified diseases	673	72	65	810	142	163	256	116	1,487
Diseases not classified*	36	2	3	41	18	39	30	-	128
Total	709	74	68	851	160	202	286	116	1,615

* Convulsions 10, epilepsy 4, insanity 2, asthma 27, chin-cough 19, influenza 1, fainting 6, teething 3, indigestion 12, colic 1, costiveness 1, rupture 1, jaundice 13, venereal disease 2, amenorrhœa 1, difficult delivery 9, menorrhagia lochialis 3, diabetes 1, suppression of urine 1. These will all be found in Table I. Green sickness 1, age 15-20; and discharge of blood 1, age 40-50; are in neither.

The assurance offices obtain from the medical attendant a certificate of the disorder of which every person assured has died: the Tables III. and V. have been arranged from a recent publication of the Equitable Society, detailing the diseases fatal to 4,095 individuals during the 32 years, 1801–1832.

III. Table of 4,095 fatal Diseases happening among Persons assured by the Equitable Society, arranged according to the Parts affected.

Diseases.	Ages.								
	10-20.	20-30.	30-40.	40-50.	50-60.	60-70.	70-80.	80,&c.	Total.
I. *Brain and Spinal Marrow.*									
Inflammation of the brain	1	4	15	16	13	12	2	1	64
Water on brain	-	-	1	3	4	1	-	-	9
Convulsion fits	-	-	-	4	1	3	-	-	8
Epilepsy	-	1	2	8	2	2	4	-	19
Suicide	-	1	2	6	15	5	-	-	29
Apoplexy	1	4	25	56	129	169	86	16	486
Palsy	-	1	5	15	47	84	74	9	235
	2	11	50	108	211	276	166	26	850
II. *Respiratory Organs.*									
Quinsey	-	-	-	1	1	1	-	-	3
Inflammation of the lungs	0	2	12	12	41	56	45	17	185
chest	1	1	1	8	11	21	12	4	59
Pleuritis	-	-	-	1	1	2	-	-	4
Dropsy of the chest	-	1	3	23	52	59	42	3	183
Consumption	4	23	63	83	81	66	18	1	339
Asthma	-	-	-	2	20	26	22	4	74
	5	27	79	130	207	231	139	29	847
III. *Organs of Circulation.*									
Aneurism	-	-	1	2	-	-	1	-	4
Angina pectoris	-	-	8	16	45	47	26	3	145
Rupture of a blood-vessel	1	-	12	19	19	22	9	-	82
	1	-	21	37	64	69	36	3	231
IV. *Organs of Digestion.*									
Inflammation of bowels	2	2	14	20	26	44	16	2	126
Disease of stomach and digestive organs	-	2	9	12	28	31	22	2	106
liver	-	2	8	37	54	49	23	2	175
Dysentery	-	-	1	3	5	11	11	3	34
	2	6	32	72	113	135	72	9	441
BLOOD.									
V. *Skin and Intestinal Tube.*									
Cholera	-	-	2	5	5	9	5	1	27
Fevers	-	14	47	88	97	99	48	8	401
Smallpox	-	-	-	-	-	-	-	1	1
Erysipelas	-	1	2	7	6	7	3	-	26
	-	15	51	100	108	115	56	10	455
VI. *Genital and Urinary Organs.*									
Diabetes	-	-	-	3	2	1	1	1	8
Stone	-	-	-	-	1	2	7	2	12
Disease of the bladder and urinary passages	-	-	3	9	25	44	41	6	128
Childbirth	-	-	2	2	-	-	-	-	4
	-	-	5	14	28	47	49	9	152
VII. *Of uncertain Seat.*									
Gout	-	-	2	6	8	14	7	1	38
Mortification	-	-	-	2	12	14	12	6	46
Cancer	-	-	2	5	14	15	4	3	43
Atrophy	-	-	4	7	11	15	6	-	43
Decay (natural) and old age	-	-	-	-	10	128	241	187	566
Dropsy	1	-	10	39	67	83	50	7	257
	1	-	18	59	122	269	320	201	993
Disorders not properly defined	-	-	9	11	20	27	12	-	79
VIII. *External Violence.*									
Murdered	-	-	-	1	1	-	1	-	3
Slain in war	1	1	1	1	-	-	-	-	4
Accidents	-	7	-	11	9	4	5	4	40
	1	8	1	13	10	4	6	4	47

IV. Table showing the annual Proportion of Deaths in 10,000 living, at all Ages, produced by Diseases of different Organs, in Carlisle.

Organs affected.	0-20.	20-40.	40-60.	60-80.	80-105.	0-105.	20-105.
Brain	6	3	17	43	17	10	14
Heart	0·3	2	1	2	-	1	1
Lungs	36	45	48	72	-	43	48
Organs of digestion	7	2	19	26	-	9	11
generation	-	6	4	-	-	2	4
Urinary organs	-	1	1	15	-	3	3
Blood { Skin	134	16	-	-	-	45	25
Blood { Intestines	22	3	35	28	-	36	25
Diseases of uncertain seat	101	13	34	353	1,922	101	100
All diseases	306·3	91	159	539	1,939	250	296

V. Table of 4,095 fatal Diseases happening among Persons assured by the Equitable Society, arranged according to their Nature.

Diseases.	10-20.	20-30.	30-40.	40-50.	50-60.	60-70.	70-80.	80.	At all Ages.
Inflammations.									
Inflammation of the bowels	2	2	14	20	26	44	16	2	126
lungs	-	2	12	12	41	56	45	17	185
brain	1	4	15	16	13	12	2	1	64
lungs and chest	1	1	1	8	11	21	12	4	59
Pleurisy	-	-	-	1	1	2	-	-	4
Mortification	-	-	-	2	12	14	12	6	46
Quinsey	-	-	-	1	1	1	-	-	3
	4	9	42	60	105	150	87	30	487
Fevers.									
Fevers, general	-	5	30	55	61	70	34	7	262
bilious	-	1	5	10	10	8	2	1	37
nervous	-	3	3	13	9	9	5	-	42
inflammatory	-	3	2	6	10	5	6	-	32
putrid	-	2	7	4	7	7	1	-	28
Cholera	-	-	2	5	5	9	5	1	27
Dysentery	-	-	1	3	5	11	11	3	34
Smallpox	-	-	-	-	-	-	-	1	1
Erysipelas	-	1	2	7	6	7	3	-	26
	-	13	47	105	114	133	73	14	499
Serous Effusions.									
Dropsy	1	-	10	39	67	83	50	7	257
on the chest	-	1	3	23	52	59	42	3	185
Water on the brain	-	-	1	3	4	1	-	-	9
	1	1	14	65	123	143	92	10	449
Consumption	4	25	63	83	81	66	18	1	339
Cancer	-	-	2	5	14	15	4	3	43
Stone	-	-	-	-	1	2	7	2	12
Gout	-	-	2	6	8	14	7	1	38
Fragility of the Vascular System.									
Aneurism	-	-	1	2	-	-	1	-	4
Rupture of a bloodvessel	1	-	12	19	19	22	9	-	82
Apoplexy	1	4	25	56	129	169	86	16	486
Palsy	-	1	5	15	47	84	74	9	235
	2	5	43	92	195	275	170	25	807

VI. Equitable Society. — Deaths out of 10,000 constantly living, at Four Periods of Life; distributed in Groups of fatal Diseases, (I.) according to the Nature, (II.) and Seat.

No. of Observations.		20—40.	40—60.	60—80.	80—110.	20—110.
	I. *Diseases grouped according to their nature.*					
27	Exanthemata (smallpox 1, erysipelas 26)	1	1·4	3	7	1
401	Fevers	17	21	39	53	20
61	Cholera and dysentery	1	2	10	26	3
47	Mechanical injuries	2	3	3	26	2
487	Inflammations	14	18	65	198	25
149	Dropsies	4	21	62	66	22
339	Consumption	24	18	22	7	17
12	Stone	-	0·1	2	14	1
38	Gout	0·5	1·5	6	7	2
43	Cancer	0·5	2	5	21	2
807	Fragility of the vascular system, aneurism 4, rupture of blood-vessel 82, apoplexy, palsy	13	32	118	165	41
43	Atrophy	1	2	6	-	2
566	Feeble vitality (decay, natural, and old age)	-	1	98	1,230	28
79	Diseases not properly defined	2	4	10	-	4
696*	Diseases not classed	11	32	92	119	36
4,095		91	159	539	1,939	296
	II. *Diseases grouped according to their Seat.*					
850	Brain	17	36	117	170	43
847	Organs of respiration	29	38	98	191	43
251	circulation	6	11	28	20	11·5
407	digestion	10	20	49	40	21
4	generation (childbirth)	0·5	0·2	-	-	0·2
148	Urinary organs	1	4	25	59	7
489	Blood { Skin	1	1·4	3	7	1
	{ Intestines	18	23	49	79	23
79	Not properly defined	2	3	10	-	4
993†	Of uncertain seat	5	20	157	1,346	50
47	External violence	2	3	3	26	2·5
4,095		91·5	159·6	539	1,939	296·2

* Convulsion fits 8, epilepsy 19, suicide 29, asthma 74, angina pectoris 145, disease of the stomach and digestive organs 106, disease of liver 175, diabetes 8, bladder and disease of 128, childbirth 4 = 696. All these diseases are included in the section following.

† Gout 38, mortification 46, cancer 43, atrophy 43, decay natural 566, dropsy 257.

VII. Table showing the annual Deaths by 10 Classes of Disease, out of 10,000 living at each Age, deduced from Dr. Heysham's Observations.

Diseases.	0-20.	20-40.	40-60.	60-80.	80-105.	All Ages.	20-105.
Eruptive fevers*	134	16	-	-	-	45	1
Fevers	22	3	35	28	-	36	24
Accidents	7	4	2	2	-	4	3
Inflammations	7	1	9	25	17	7	7
Dropsies	4·5	5	9	36	50	8	11
Consumption	27	45	37	28	-	34	38
Cancer	-	-	2	7	-	1	2
Stone and gravel	-	6	1	13	-	1	2
Gout	-	-	3	11	-	2	3
Apoplexy and palsy	0·3	1	16	41	17	7	12
Feeble vitality	73	-	-	219	1,838	67	61
Diseases unknown	17	6	14	72	17	18	18
Diseases not classed	15	10	31	57	-	20	24
	307·3	91	159	539	1,939	250	206

* Of the 134 deaths by eruptive fevers between the ages 0-20, 20-40, the deaths by smallpox were 84 and 1.

REMARKS.

1. Tables IV., VI., and VII. have been deduced from the four other tables: the absolute mortality was derived, in the same manner as the Carlisle table, from two enumerations of the living at different ages, and the deaths registered during 9 years (1779—1787) by Dr. Heysham; the deaths from each class of disease were ascertained by simple proportion. The rate of mortality amongst persons assured by the Equitable Society agrees nearly with that of Carlisle; so the same absolute mortality was applied to Table VI. as to Tables IV. and VII. The mortality of the class of persons from whom the assured were selected was certainly higher. The observations made in Philadelphia, to which we shall refer, were for the 2 years 1833–1835; the total deaths amounted to 10,106, and were published in annual bills by the Board of Health. The mortality in the 3 years, 1833–35, was 2·4 per cent.; the deaths in 5 years out of 100 born, 31·3.

2. Of a thousand persons living at Carlisle, *fever* annually destroyed 3·6; *smallpox*, 2·8; the entire class of *eruptive fevers*, 4·5; fever and eruptive fevers, 8·1. The two groups constituted 32·4 per cent. of the fatal diseases; in Philadelphia they actually amount only to 14, in London to 10·7 per cent.

3. The *eruptive fevers* at Carlisle and at Philadelphia were most fatal under the age of 20; but this does not justify the current belief of medical men, that children are more susceptible of those diseases which affect the organisation only once than adults. Admit that of 100 children born 50 have smallpox before the age of 10, 26 between the ages 10–20, 14 between 20–30, &c.; is it not evident in this case, that although the absolute number diminishes, the relative number attacked of those who have never had smallpox increases? One who has lived 30 years in the world without an attack of measles is, perhaps, protected by some idiosyncrasy; but, *cæteris paribus*, is not a person aged 30 as liable to an attack of measles as a child? Would not smallpox, introduced into a country where it had never been before, attack persons of all ages indiscriminately?

4. Of 1615 deaths, Dr. Heysham ascribed only 20 to *inflammation*, and not one to an affection of the heart or large bloodvessels. This shows not so clearly that these diseases were uncommon, as that great ignorance of morbid anatomy prevailed among the most accomplished physicians at the close of the last century. In Philadelphia 14·4, in London, 10·8 per cent. of the deaths are attributed to inflammation: after the age of 20, in the Equitable Society 12 per cent., in Philadelphia 14 per cent. of the fatal cases were inflammations.

5. *Consumption and scrofula* at Carlisle and Philadelphia destroyed annually 3·4 per 1,000 of the inhabitants; and 3·8 per 1,000 of the persons aged 20 and upwards. One seventh part of the deaths were, consequently, from consumption; and above the age of 20, one fifth.

6. The violence of disease, Hippocrates somewhere says, is in proportion to the strength of the patient; and morbid anatomy proves that where there is great debility from age, or any other cause, inflammation runs through its course without manifesting distinctly its characteristic symptoms. The great number of deaths ascribed to natural decay, old age, and to weakness, are for this reason improperly considered

examples of death without disease; although death sometimes does happen without any apparent organic cause.

7. What is the effect of the selection exercised by the assurance companies? What class of diseases does it exclude? In the first place, the eruptive fevers. Among 4,095 deaths in the Equitable Society, only 1 was of smallpox. The deaths from consumption, instead of making 20, only amounted to 8·3 per cent. of the deaths, or 10·3 if those who died of ruptured blood-vessel be added. But by way of compensation, the deaths from dropsy are 22; from apoplexy and palsy 37 per 1,000; instead of 14, 12, and 11, 10·6, the proportions dying of these two classes of disease in Carlisle and Philadelphia. The advantage to the assurance offices of applying tables founded on a city population in the last century, and *including all the sick*, to a class of persons in good health, and little liable to the eruptive fevers or consumption, is obvious. With a little study, the selection of long-lived persons may be carried to a still greater extent.

8. In proportion as a population becomes civilised, and as its physical condition and mental life are ameliorated, the deaths from apoplexy appear to increase; while the fevers and plagues of the state of barbarism decrease in a much more rapid ratio. The persons assured by the Equitable Society represent the more intellectual order of people in this country; apoplexy is frequent among them; the numerous dropsies and inflammations mark their gastronomic excesses; the mortality from fever and erysipelas proves that they dwell in ill ventilated houses, and crowded cities, with bad sewers.

9. Life, divided into 5 viennial periods, is most secure in the second; the fatality of nearly all diseases increases afterwards in a geometrical progression. The observations in Philadelphia show that consumption is not an exception to this law.

10. One of the most important results presented in this paper is, that the character of diseases changes in a determined ratio at different periods of existence. The tables indicate not only the degree, but the kind of danger, we have to encounter at all ages: for example, in the second vicennial period (20–40), the deaths from consumption at Carlisle constituted 50, at Philadelphia 34, in the Equitable Society 26 per cent. of the deaths from all causes *; in the third vicennium the nature of the danger has altered, for the deaths from consumption contribute but 23, 28, or 11 per cent. to the entire mortality. From tables of this description, the probability of death from each class of diseases can be calculated at all ages. We will add one instance of their practical application. In the first period of life (0–20) the eruptive fevers, inflammations, scrofulous and dropsical effusions, are most to be dreaded; in Philadelphia two fifths of the deaths were from affections of the brain and bowels. Who, with these facts before him, can fail to see the impropriety of giving children preparations of laudanum, spirits, or any food at first but the mother's bland milk? Cold often produces inflammation of the lungs in winter; but too much tenderness in this respect, and the accustoming of boys to a delicate diet, weaken the constitution. Between 20 and 40, *consumption*, inflammations, fevers, and epidemics, are the most deadly shafts of death, which, as Dr. Clark has shown, a judicious course of hygiene in this period may do much to disarm. The same class of diseases maintains the preponderance till 60; but, in the period following (60–80) *dropsies* and inflammations increase, while apoplexy gains a great ascendency. After 65 a man should undertake nothing requiring great intellectual exertion, or sustained energy: warmth, temperance, tranquillity, may prolong his years to the close of a century; a rude breath of the atmosphere, a violent struggle, or a shock, will suffice to terminate his existence. The apoplexy of the aged can, with care, be averted for several years; but it is, perhaps, the natural death, the euthanasia of the intellectual: their blood remains pure, the solids firm to the last, when a fragile artery gives way within the head,—the blood escapes, and by a gentle pressure dissolves sensibility at its source for ever. The life is no longer there,—the corporeal elements are given back to the universe!

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* Dr. Clark had this period, probably, in view when he estimated the proportion of deaths from tuberculous diseases, after excluding the deaths in infancy, at a third part of the total mortality in this country.

Conclusions. — *On the Means of promoting Public Health in Great Britain.*

1. If governments can do little by *direct* enactments for the diminution of sickness, it is, nevertheless, their duty to determine, by statistical enumerations, the actual state of health, and the extent to which it is deteriorated in different circumstances. Returns of the diseases and deaths in the army, the navy, and all bodies of men employed in the public service, should be made annually; and this, with the results of the general registration, would improve public health, by showing so distinctly the connection between diseases and their natural causes that men would either avoid or obviate the evils destructive of health by some invention.

2. Almost all classes of the people of this country are profoundly ignorant of the physiological laws which regulate their own existence; health may consequently be improved by making a knowledge of the nature of the human organisation, and of the external agents by which it is influenced, an elementary part of the national education. The physical sciences are not, as Count Rumford maintained, the sole sources of human improvement; but without their aid no solid advances can be made in civilisation. For this reason, the works and inventions of Rumford and Arnott will contribute more to the progress of society than many treatises written *ex professo* on the subject.

3. It has been shown that external agents have as great an influence on the frequency of sickness as on its fatality; the obvious corollary is, that man has as much power to prevent as to cure disease. That prevention is better than cure, is a proverb; that it is as easy, the facts we have advanced establish. Yet medical men, the guardians of public health, never have their attention called to the prevention of sickness; it forms no part of their education. To promote health is apparently contrary to their interests: the public do not seek the shield of medical art against disease, nor call the surgeon, till the arrows of death already rankle in the veins. This may be corrected by modifying the present system of medical education, and the manner of remunerating medical men.

4. Public health may be promoted by placing the medical institutions of the country on a liberal scientific basis; by the medical societies co-operating to collect statistical observations; and by medical writers renouncing the notion that a science can be founded upon the limited experience of an individual. Practical medicine cannot be taught in books; the science of medicine cannot be acquired in the sick room. The healing art may likewise be promoted by encouraging post-mortem examinations of diseased parts; without which it is impossible to keep up in the body of the medical profession a clear knowledge of the internal changes indicated by symptoms during life. The practitioner who never opens a dead body must commit innumerable, and sometimes fatal, errors.

5. It has been proved that, in the present state of things, the mortality is greatly augmented wherever large masses of the people are brought together: it will be the duty of the government, the municipal corporations, and all classes of citizens, to render the towns of this country, and every establishment where large numbers are collected together, perfectly adapted to the wants of the human organisation, and compatible with the full enjoyment of health.

CHAPTER V. — Provision for the Poor.

Sect. I. *Poor Laws of England and Wales.*

The Poor Laws of England, like the analogous institutions of other countries, have a double object. That most apparent and immediate is the relief of such suffering as arises from the mere destitution of individuals found in the community; the other, which, in all societies much advanced in their political condition, is the final object of the institution, is the repression of vagrancy and mendicancy,

with their constant attendants, idleness, imposture, and vagrancy, by depriving every person of the pretext for begging or plunder, which a state of absolute destitution affords. The first is wholly a moral end, and regards only the distress of the individual; the second has in view the proper purpose of all political institutions, the general welfare and security of the community.

I. *Of the Relief of the Poor generally.*

The means resorted to in different states for the attainment of either or both of these ends are various; but, as might be expected, when the higher and more political end is kept in view, more systematic methods are adopted for its attainment.* There is, perhaps, no political society, at least none has been found, in which the relief of the destitute is left entirely to the charity of the more opulent. The most common and simple of the inducements brought in aid of that feeling, is that which results from the almost constant association of the practice of alms-giving with the observances of the popular religion. Accordingly every religion, of which we have any authentic account, adopts for its chief practical and social virtue charity; or, as it is almost invariably understood, the practice of alms-giving. Whenever the state has not undertaken the collection and control of the alms of the community, the ministers of religion are, either by direct institution or by general consent, the collectors and distributors of the charities of the laity. This is the state of things in the greater portion of Catholic Europe, in the colonies of America founded by Spain and Portugal, and throughout Asia, where benevolent institutions are not confined in their objects to the alleviation of the sufferings of the human race; but opulent foundations exist for the support of such animals as the people have a traditional veneration for, or as have used their energies in the service of man.

Where the practice of alms-giving is generally inculcated as a virtue, it is often made a substitute for other virtues, and even a means of atonement for great crimes; and they who during their lives have neither practised this nor any other acts in good repute, are encouraged to believe that their defaults may be cured by a posthumous application of their wealth to the use of the poor. A large proportion of the charitable institutions of every country has been founded and endowed by persons who thereby hoped to atone for a life of avarice and extortion. These causes concurring with the natural impulses of mankind to relieve the distresses of their fellows, have in many countries, as formerly in England, and still in the Spanish peninsula, placed enormous funds at the disposal of the ministers of religion. It is universally testified by historians and travellers, that where this state of things exists, the dispensers of relief being free from accountability or responsibility, are as much the victims of the temptation to make a fraudulent use of the funds at their disposal as the recipients are to the inducements which the system affords to idleness and imposture. †

The evils obviously incidental to this mode of dispensing relief has, in many countries, led to the second modification of the machinery by which the charities of

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* For a minute description of the institutions existing in various countries of Europe and America, for the relief of the poor, see Appendix (F.) to the Report of the Commissioners appointed to inquire into the operation of the Poor Laws; or the admirable abstract of the matter, and comments on it, contained in the Preface to the Appendix, by Mr. Senior, and republished separately in a small octavo volume.

† The evils adverted to are not unknown in England, where many charitable trusts exist, the trustees of which are partially subject to no control, and who, even when they perform conscientiously the duties of their trust, often do the most serious injury to the character and habits of the persons who become the objects of the charity, through the injudicious dispositions of the funds by the founder of the charity.

the community are administered. In this stage the state, although it do not guarantee relief as a right, nor charge itself with the providing of funds for the purpose, takes upon itself the regulation, by means of properly constituted executive officers, of the funds arising from the voluntary contributions, legacies, and bequests of private individuals; and defines the classes of persons who are to receive a share of such funds, and the conditions on which they are to be entitled to it.

This state of things prevails generally in those states of Europe where the reformed religion has displaced the Roman Catholic as the state religion, and where, consequently, the public endowments for charitable purposes, like other secular matters previously controlled by the Catholic priesthood, became almost necessarily a subject for the interference of the state. The Foreign Communications, in Appendix (F.), to the Report of the Commissioners appointed to inquire into the administration of the Poor Laws in England and Wales, represent this modification of the institutions for charitable purposes as existing in the Hanseatic Towns, Holland, France, Belgium, Portugal, the Sardinian States, Franckfort, and Venice; and, doubtless, it exists in many other states, of which no account is given in that collection of documents.

The third modification of these institutions is that in which the state recognises the right of every individual, in a destitute condition, to be relieved at the expense of the community; and provides for such relief by a compulsory tax on its subjects. This will be recognised as the character of the system which prevails in England, where it has been established for nearly three centuries. In America it has prevailed from the first establishment of the English colonies there. In the Union each state has its peculiar regulations, but all of English origin adopt the general principle. In the few countries of Europe where it is admitted, this extension of the principle is, with slight exceptions, of comparatively recent adoption. In Denmark, which has a very systematic code of poor laws, and in several other states, it dates from the end of the last or the commencement of the present century. The other countries, of which an account is to be found in the Appendix to the Report of the Commissioners, in which the right to relief at the charge of the community is recognised by the law, are Norway, Sweden, Russia, Mecklenberg, Prussia, Wurtemberg, Bavaria, and the Canton of Berne; and it is probable that there are some others, from which accounts could not be procured by the Commissioners.

This last form of public charity usually coexists simultaneously with that previously described, as the regulations for the administration of the public charities are invariably found to be applicable to funds derived from private sources, and destined to the same ends. Thus in Norway and in Denmark the yearly proceeds of legacies and bequests, for the benefit of the poor, are applied indiscriminately with the funds derived from the taxes. In Wurtemburg it is stated, that "a large proportion of their parishes appears to possess a fund called *pium corpus*, arising partly from voluntary contributions, and other casual receipts, but principally from funds which, previously to the Reformation, had been employed for the purposes of the Roman Catholic worship, and, instead of being confiscated by the government, as was the case in England, were directed to be applied for charitable purposes." "Many of them also have almshouses, or, as they are called in the Reports, hospitals for the residence of the poor, and other endowments for their use; and almost all possess an estate called an allemand, which is the joint property of the persons for the time being having *bürgerrecht*, or the right of citizenship in the parish, and is, together with the *pium corpus* and endowments, the primary fund for the relief of the poor." — (*Senior's Statement of the Provision for the Poor*, p. 54.) In Bavaria "the yearly produce of all charities belongs to the poor institutions, and is used for these purposes;" as do "the legacies for the poor, when, by the will of the people, they are to be laid out in a regular yearly income, and the fourth part of such legacies as are destined in general for pious purposes." The voluntary donations applicable to the fund "consist of casual gifts in money and food, which have been given by philanthropic persons of their own accord for the use of the poor institution, and in this manner are applied for their daily use." — (*Lord Erskine's Report of the Poor Laws in Bavaria*, Appendix (F.))

Mr. Senior's *Statement of the Provisions for the Poor, and of the Condition of the Labouring Classes in a considerable Portion of America and Europe*, contains, in a compendious form, invaluable details on the mode of administration of those respect-

ive kinds of relief, and of the social results derived from them; and the account is the more interesting, because, with all the varieties in practice, those results have, in every case, corresponded with the results of similar institutions in England: for in England, at different periods, the provision for the destitute has been of each of the three kinds before described; and the preambles to the enactments of the legislature, and the contents of contemporary accounts, show the nature of the evils prevailing in connection with the modes of administering charity at each epoch when a change in the institutions was effected.

II. *History of English Poor Laws.*

The recent changes in the Poor Laws, are changes rather in the machinery by which they are to be administered, than changes in the body of the law itself. Besides the 4 & 5 Will. 4. c. 76. (The Poor Law Amendment Act), which repealed a considerable portion of the statutes previously existing, there are still in full force 118 statutes, extending from the reign of Elizabeth to the present time, and occupying a very closely printed 8vo volume of 454 pages, all of which relate exclusively to the administration of relief to the poor; and there are still many others which relate only partially or incidentally to that object. The body of law known as the Poor Laws consists besides of a vast mass of decisions of the courts of law, a selection of which made by Bott, with additions and an Appendix by Mr. Tidd Pratt, although by no means complete, occupies three considerable 8vo. volumes.

These statutes and decisions were made at various periods, under widely different circumstances, and during the prevalence of opinions and feelings the most dissimilar; and they consequently contain a multitude of provisions differing wholly in their objects and tendency, and which can be brought to no consistency amongst themselves by any mere statement of their nature and effect, although they may be adequately explained by a description of the circumstances in which they respectively originated. A history of the Poor Laws, however summary, is therefore indispensable for the right understanding of their present and actual effect. The objects and purport of the statutes previous to that of the 43 Eliz. are for the most part stated according to the analysis thereof printed in the Report of the Poor Law Commissioners in 1834.

First Epoch. — Restraint of Vagrancy.

The sole object of our legislation on this matter, from its very commencement down to the reign of Henry the Eighth, and the suppression of the religious houses, was the restraint of vagrancy and mendicancy. And with this object every destitute person was compelled to confine himself to certain defined localities. This restriction is the origin of our law of settlement, which, though it has been modified in many particulars since, and has at length so completely changed its character of a restraint as to have become the foundation of the title to relief in any particular place, was substantially created by the statutes passed within that period.

The 12 Rich. 2. c. 7. (enacted in the year 1388), prohibits any labourer from departing from the hundred, rape, wapentake, city, or borough where he is dwelling, without a testimonial, showing reasonable cause for his going, to be issued under the authority of the justices of the peace. Any labourer found wandering without such letter, is to be put in the stocks till he find surety to return to the town from which he came. Impotent persons are to remain in the towns in which they be dwelling at the time of the act; or, if the inhabitants are unable or unwilling to support them, they are to withdraw to other towns within the hundred, rape, or wapentake, or to the towns where they were born, and there abide during their lives.

The 11 Hen. 7. c. 2. (1495) requires beggars not able to work to go to the hundred where last they dwelled, or where best known, or born, without begging out of the hundred.

The 19 Hen. 7. c. 12. (1504) requires them to go to the city, town, or hundred where they were born, or to the place where they last abode for the space of three years, without begging out of the said city, town, hundred, or place.

The 22 Hen. 8. c. 12. (1531) directs the justices to assign to the impotent poor a limit within which they are to beg. An impotent person begging out of his limit is to be imprisoned for two days and nights in the stocks, on bread and water, and

then sworn to return to the place in which he was authorised to beg. An able-bodied beggar is to be whipped, and sworn to return to the place where he was born, or last dwelt for the space of three years, and there put himself to labour.

Second Epoch. — Compulsory Relief.

Henceforward, it will be seen that a new element is introduced into the legislature, which ceased with this statute to be directed merely to the suppression of vagrancy, but aimed also at the making a provision for the destitute which the alms dispensed at the religious houses had now ceased to afford. It will also be seen that from time to time the provisions acquired greater complexity, always retaining its previous character, but constantly acquiring additional ones.

Five years after the last-mentioned statute was passed the 27 Hen. 8. c. 25. (1536). This statute * is remarkable, both as having first introduced the system of compulsory charity, and as showing that the motive for its establishment was the desire and the difficulty of repressing vagrancy. It recites the preceding act, and adds, that no provision is made for the support of the impotent, nor for setting and keeping in work the said valiant beggars; and then enacts, that the head officers of every city, shire, town, and parish, to which such poor creatures or sturdy vagabonds shall repair in obedience to that act, shall most charitably receive the same, and shall keep the same poor people, by way of voluntary and charitable alms, within the respective cities, shires, towns, hundreds, hamlets, and parishes, by their discretion, so that none of them of very necessity shall be compelled to beg openly, and shall compel the said sturdy vagabonds and valiant beggars to be kept to continual labour in such wise as they may get their own living by the continual labour of their own hands, on pain that every *parish* making default shall forfeit 20*s*. a month. It then directs the head officers of corporate towns, and the churchwardens and two others of every parish, who are to remain in office only one year, to collect voluntary alms for the purpose of relieving the impotent poor, and that such as be lusty be kept to continual labour. Every preacher, parson, vicar, and curate, as well in their sermons, collections, bidding of the beads, as in the time of confession and making of wills, is to exhort, move, stir, and provoke people to be liberal for the relief of the impotent, and setting and keeping to work the said sturdy vagabonds.

The money collected is to be kept in a common box in the church, or committed to the custody of a substantial trusty man, as they can agree on, to be delivered as necessity shall require. Alms-giving, otherwise than to these common boxes or common gatherings, or to fellow parishioners or prisoners, is prohibited on forfeiture of ten times the amount given. And all persons bound to distribute ready money, victuals, or other sustentation to poor people, are to dispose of the same, or the value thereof, to such common boxes. The overplus of the collection of wealthy parishes is to be applied in aid of other parishes within the same city, borough, town, or hundred.

A sturdy beggar is to be whipped the first time, his right ear cropped the second time, and if he again offend, to be sent to the next gaol till the quarter sessions, and there to be indicted for wandering, loitering, and idleness; and, if convicted, shall suffer execution of death as a felon and an enemy of the commonwealth.

It appears that the severity of this act prevented its execution: such, at least, is the reason assigned for its repeal by the 1 Edw. 6. c. 3. (1547), which recites, that partly by foolish pity and mercy of them which should have seen the said goodly laws executed, and partly from the perverse nature and long-accustomed idleness of the persons given to loitering, the said goodly statutes have had small effect, and idle and vagabond persons, being unprofitable members, or rather enemies, of the

* The first volume of the Proceedings of the Statistical Society of London contains an interesting paper by Mr. Hallam, giving an account of some remarkable regulations enacted by the magistrates of Ypres, in Belgium, in the year 1530, for the maintenance of the poor. These regulations appear to have been generally adopted in the adjacent provinces of the Netherlands, under the sanction of an edict of the Emperor Charles V.; and, as stated by Mr. Hallam, manifestly formed the model which was followed a few years afterwards by the legislature of this country.

commonwealth, have been suffered to remain and increase, and yet so do: and, as a milder punishment, enacts, that an able-bodied poor person who does not apply himself to some honest labour, or offer to serve even for meat and drink, if nothing more is to be obtained, shall be taken for a vagabond, branded on the shoulder with the letter V, and adjudged a slave for two years to any person who shall demand him, to be fed on bread and water and refuse meat, and caused to work by beating, chaining, or otherwise. If he run away within that period, he is to be branded on the cheek with the letter S, and adjudged a slave for life; if he run away again, he is to suffer death as a felon. If no man demand such loiterer, he is to be sent to the place where he says he was born, there to be kept in chains or otherwise, at the highways or common work, or from man to man, as the slave of the corporation or inhabitants of the city, town, or village in which he was born; and the said city, town, or village shall see the said slave set to work, and not live idly, upon pain, for every three working days that the slave live idly by their default, that a city forfeit *5l.*, a borough 40s., and a town or village 20s., half to the king and half to the informer. If it appear that he was not born in the place of which he described himself as a native, he was to be branded on the face, and be a slave for life.

It appears also, that taking surety of the impotent poor that they would repair to the places where they were born, or had dwelt for the three previous years, was not effectual. The officers, therefore, are directed to convey the impotent poor, on horseback, cart, chariot, or otherwise, to the next constable, and so from constable to constable, till they be brought to the place where they were born, or most conversant for the space of three years, there to be kept and nourished of alms. "Provided always, that if any of the said impotent persons be not so lame or impotent but that they may work in some manner, and refuse to work, or run away and beg in other places, then their city, town, or village, is to punish them according to their discretion, with chaining, beating, or otherwise." The statute also orders the curate of each parish, every Sunday after reading the Gospel, to exhort his parishioners to remember the duty of Christian charity in relieving them which be their brethren in Christ, *born in the same parish*, and needing their help.

This statute had a very short existence, for it was repealed by the 3 & 4 Edw. 6. c. 16. (1450), and the 22 Hen. 8. c. 12., revived. The directions, however, that the impotent poor should be removed to the place where they were born, or had been most conversant for three years, and that they should be kept to work, if capable of some manner of work, and punished by chaining, beating, or otherwise, if they refused, were re-enacted.

The *5* & 6 Edw. 6. c. 2. (1551), "to the intent that valiant beggars, idle and loitering persons, may be avoided, and the impotent, feeble, and lame provided for, which are poor in very deed," confirms the 22 Hen. 8. c. 12., and the 3 & 4 Edw. 6. c. 16., and commands that they shall be put in execution; and then directs a book to be kept in every city, corporate town, and parish, containing the names of the householders and of the impotent poor; and that yearly in Whitsun week the head officers of towns, and the minister and churchwardens in every parish in the country, shall appoint two persons to be collectors of alms for the relief of the poor, which collectors shall, the next or following Sunday at church, gently ask every man and woman what they of their charity will give weekly towards the relief of the poor, and write the same in the book, and distribute what they collect weekly to the same poor and impotent persons, after such sort that the more impotent may have the more help, and such as can get part of their living the less, and by the direction of the collectors be put on such labour as they be able to do; but none to go or sit openly begging, upon pain limitted in the above statutes. If any one, able to further this charitable work, do obstinately and frowardly refuse to give, or do discourage others, the minister and churchwardens are to gently exhort him. If he will not be so persuaded, the bishop is to send for him, to induce and persuade him by charitable ways and means, and so according to his discretion take order for the reformation thereof.

It is a curious example of the fear of our ancestors that statutes should grow into desuetude, and perhaps a proof that such a fate had actually befallen the *5* & 6 Edw. 6., that precisely the same enactments, with precisely the same preamble, are repeated by the 2 & 3 Philip and Mary, c. 5. (1555). But the act, however reiterated, seems to have been ineffectual. Neither the gentle askings

of the collectors, the exhortations of the minister, nor the charitable ways and means of the bishop, appear to have persuaded the parishioners to entrust to the collectors the distribution of their alms.

The 5 Eliz. c. 3. (1563), therefore, after repeating the same preamble and the same enactments, goes on to enact, that if any person of his froward wilful mind shall obstinately refuse to give weekly to the relief of the poor according to his ability, the bishopshall bind him to appear at the next sessions; and at the said sessions the justices there shall charitably and gently persuade and move the said obstinate person to extend his charity towards the relief of the poor of the parish where he dwelleth; and if he will not be persuaded, it shall be lawful for the justices, with the churchwardens, or one of them, to tax such obstinate person, according to their good discretion, what sum the said obstinate person shall pay weekly towards the relief of the poor within the parish wherein he shall dwell; and if he refuse, the justices shall, on complaint of the churchwardens, commit the said obstinate person to gaol, until he shall pay the sum so taxed, with the arrears.

The next statute, the 14 Eliz. c. 5. (1572), is remarkable, as a proof of the inefficiency of the previous statutes, and as showing how short an interval elapsed between giving to the justices power to tax at their sessions an obstinate person, at the complaint of the minister, the churchwardens, and the bishop, and the giving to them discretionary power to tax every inhabitant in their divisions, and to direct the application of the sums so taxed.

It begins by a recital, that "all the parts of this realm of England and Wales be presently with rogues, vagabonds, and sturdy beggars exceedingly pestered, by means whereof daily happeneth in the same realm horrible murders, thefts, and other great outrage, to the high displeasure of Almighty God, and to the great annoyance of the common weale."

And then, "as well for the utter suppressing of the said outrageous enemies to the common weal, as for the charitable relieving of the aged and impotent poor people in manner and form following," it enacts, "that all persons thereafter set forth to be rogues and vagabonds, or sturdy beggars, shall for the first offence be grievously whipped, and burnt through the gristle of the right ear with a hot iron of the compass of an inch about; for the second, be deemed felons; and for the third, suffer death as felons without benefit of clergy."

Among rogues, vagabonds, and sturdy beggars, are included all persons whole and mighty in body, able to labour, not having land or master, nor using any lawful merchandise, craft, or mystery; and all common labourers, able in body, loitering and refusing to work for such reasonable wages as is commonly given.

"And forasmuch as charity would that poor, aged, and impotent persons should as necessarily be provided for as the said rogues, vagabonds, and sturdy beggars repressed, and that the said aged, impotent, and poor people should have convenient habitations and abiding places throughout this realm to *settle* themselves upon, to the end that they nor any of them should hereafter beg or wander about," it enacts, "that the justices of the peace shall within their several divisions and authorities make inquiry of all aged, poor, impotent, and decayed persons born within their said divisions and limits, or which were there dwelling within three years next after this present parliament, living by alms, and register their names; and when the number of poor people forced to live upon alms be by that means known, the said justices shall appoint within their said divisions meet places, by their discretion, to *settle* the same poor people for their abidings, if the parish within which they shall be found shall not or will not provide for them, and set down what portion the weekly charge towards the relief and sustentation of the said poor people will amount unto, and that done, shall *by their good discretions tax and assess all the inhabitants dwelling within the said divisions* to such weekly charge as they and every of them shall weekly contribute towards the relief of the said poor people, and shall appoint collectors, who shall gather the same proportion, and make delivery of so much thereof, according to the discretion of the said justices, to the said poor people, as the said justices shall appoint them. If any person able to further this charitable work shall obstinately refuse to give, or discourage others, he shall be brought before two justices, to show the cause of such refusal or discouragement, and to abide such order therein as the said justices shall appoint; and if he shall refuse to do so, they shall commit him to gaol until he shall be contented with their said order, and do perform the same."

It then provides that the justices, out of the surplus of such collections (the impotent being first provided for), shall settle to work the rogues and vagabonds that shall be disposed to work (*i. e.* capable of working) born within the said counties or there abiding for the most part within the said three years, there to be holden to work to get their livings, and to live and be sustained only upon their labour and travail. And "that the justices in sessions within any of the counties, cities, or towns where collection of money cannot presently be had, may license some of the poor, or any other for them, to gather, within such other town, parish, or parishes of the county, as the said justices shall name within the division of the licensing justices, charitable donations and alms at the houses of the inhabitants. And the inhabitants of every such parish to which such poor shall be so appointed, shall be coacted and bound, under such pain as to the said justices shall seem convenient, to relieve the said poor in such sort as the said justices shall appoint."

Even its kindness is mixed with severity; for "if any of the said poor people refuse to be bestowed in any of the said abiding places, but covet still to hold on their trade of begging, or, after they be once bestowed in the said abiding places, depart and beg, then the said person so offending, for that first offence shall be accounted a rogue or vagabond, and suffer as a rogue or vagabond in the first degree of punishment; and if he do the second time offend, then be esteemed a rogue or vagabond, and suffer as a rogue or vagabond in the last degree of punishment (that is, suffer death as a felon); and if any of the said aged and impotent persons, not being so diseased, lame, or impotent but that they may work in some manner of work, shall be by the overseers of their said abiding place appointed to work, and refuse, they are to be whipped and stocked for their first refusal, and for the second refusal to be punished as in the case of vagabonds in the said first degree of punishment."

The 14 Eliz. c. 5. does not appear to have been expressly repealed, as far as the relief of the impotent is concerned. It was replaced, in that respect, by the 39 Eliz. c. 3. (1598), and, with respect to able-bodied vagrants, by the 39 Eliz. c. 4. That statute, which is, in fact, merely a continuation of the 39 Eliz. c. 3., directs that every rogue and vagabond (among whom are included "all wandering persons and common labourers, being persons able in body, using loitering, and refusing to work for such reasonable wages as is taxed or commonly given in such parts where such persons do or shall happen to dwell or abide, not having living otherwise to maintain themselves") "shall, on his apprehension, be openly whipped until his body be bloody, and shall be forthwith sent from parish to parish the next straight way to the parish where he was born, if the same may be known by the party's confession, or otherwise; and if the same be not known, then to the parish where he last dwelt before the punishment by the space of one whole year, there to put him or herself to labour as a true subject ought to do; or, not being known where he or she was born or last dwelt, then to the parish through which he or she last passed without punishment, to be by the officers of the said village where he or she so last passed through without punishment conveyed to the house of correction of the district wherein the said village standeth, or to the common gaol of that county or place, there to remain or be employed in work until he or she shall be placed in some service, and so to continue by the space of one whole year; or, not being able of body, until he or she shall be placed to remain in some almshouse in the same county or place." And "if any of the said rogues shall appear to be dangerous to the inferior sort of people where they shall be taken, or otherwise be such as will not be reformed of their roguish kind of life, it shall be lawful to the justice of the limits where any such rogue shall be taken to commit that rogue to the house of correction, or otherwise to the gaol of that county, there to remain until the next quarter sessions; and then such of the same rogues so committed as by the justices of the peace there present, or the most part of them, shall be thought fit not to be delivered, shall be banished out of this realm and all other the dominions thereof, and, at the charge of that county, shall be conveyed into such parts beyond the seas as shall be at any time hereafter for that purpose assigned by the Privy Council, or otherwise be judged perpetually to the galleys of this realm, as by the same justices, or the most part of them, shall be thought fit and expedient."

The 27 Hen. 8. c. 25., which imposed a fine on the *parish* in which the impotent poor should not be relieved, and directed the surplus collection of rich parishes to be applied for the relief of poor *parishes* within the same hundred; the 1 Edw. 8.

c. 3., which directed the curate of any *parish* to exhort his parishioners to relieve those *born in the same* parish, and needing their help; and the 5 and 6 Edward 6. c. 2., which directed the parson, vicar, or churchwardens of each parish to appoint collectors, and to gently ask for contributions in the church, were all so many steps towards making the relief of the poor a parochial charge. And it appears that the ecclesiastical division of parishes was preferred to any civil division, on account of the part which the clergy were required to take in the business.

The 14 Elizabeth, c. 5., appears to have deviated from this plan; and as it vested the power of assessment in the justices, it threw the burthen, not on each parish, but upon all the inhabitants of the divisions within the jurisdiction of the assessing justices. The 39 Elizabeth, c. 3. (1598), returned to the parochial system; and it differs so little in its provisions from the well-known 43 Elizabeth, c. 2., the basis, but certainly not the origin, of our present system, that we do not think it necessary to state its substance. The following clause, however, deserves to be cited, both on account of its importance, and from its not having been re-enacted: —

"No person or persons whatsoever shall go wandering abroad and beg in any place whatsoever, by licence or without, upon pain to be esteemed, taken, and punished as a rogue: provided always, and this present act shall not extend to any poor people which shall ask relief of victualling only in the same parish where such poor people do dwell, so the same be in such time only and according to such order and direction as shall be made and appointed by the churchwardens and overseers of the poor of the same parish, according to the true intent and meaning of this act."

Third Epoch — Existing System.

The 43 Elizabeth, c. 2. (1601), has been the subject of much eulogium, and deserves to be considered as the most remarkable instance of practical statesmanship which our legislature down to this time affords. Its first merit is that it abandons the excessive severity which had been the self-destructive principle of the preceding statutes; and instead of punishment, applies a test which succeeding legislation has only attempted to apply more strictly; but has never departed from without the most pernicious consequences. This is the plan of affording to such as are able to work, whatever may be their age or sex, no relief, but such as is accompanied by the exaction of labour: so exclusive was the principle that all who can labour shall receive relief only on condition that they work for it, that it is expressly extended even to children, who are to be set to work in the same manner as the adults, and for whose apprenticeship competent sums of money are to be raised. The mode of application of this principle by the agency of overseers, under the control of justices of the peace; the selection of parishes in the districts for its administration; the kind of contribution by rates; and the species of property in respect of which the rates are made; and the remedy against their unequal imposition; are the same as prevail at the present day, though certain additions have been made upon all these points with the view of extending the effect of the provisions, or of facilitating their operation.

The evils of vagrancy, although greatly reduced by the operation of this statute, still continued to be felt, and the 7 Jac. c. 4. (1609) re-enacted, with additions, the provisions of 39 Eliz. for the erecting of houses of correction, and for the punishing of rogues and vagabonds. These houses of correction were to be provided with "mills, turns, cards, and such like necessary implements, to set the said rogues and other idle persons to work," and were, with hospitals (which the 39 Eliz. had facilitated the endowment of for the same purposes), the origin of the workhouse system.

These statutes seem at length to have been successful in subjecting the poor and the idle to a more regular and systematic mode of seeking relief than had prevailed when they were first enacted. But the evil had merely changed in its mode of application being still substantially the same, when the 13 & 14 Car. 2. c. 12. (1661–2) was passed. This statute recites that "whereas by reason of some defects in the law, poor people are not restrained from going from one parish to another, and therefore do endeavour to settle themselves in those parishes where there is the best stock; the largest commons or wastes to build cottages; and the most woods for them to burn and destroy; and when they have consumed it, then to another

parish; and at last become rogues and vagabonds, to the great discouragement of parishes to provide stocks, where it is liable to be devoured by strangers:" and it proceeds to enact provisions for the removal of persons so coming to settle within 40 days after their arrival, unless they have taken a tenement of the yearly value of 10*l*.

It is clear from this preamble that the ancient evil of unrestricted beggary and vagrancy was not the evil which the statute attempted to cure; and it is equally clear that the provisions of the statute of Elizabeth and succeeding statutes had been made use of as a more effective means of satisfying the propensity to live in idleness on the labour of others. The laying in of the stock (which the settlers are said to have come "to devour"), the building of cottages on the waste or commons, are both required by the statutes of Elizabeth; and although introduced for the restriction of vagrancy, had thus become subservient to a new system of extortion by the dissolute and idle.

This statute of the 13 & 14 Car. 2. also provided for a practice, now nearly obsolete, of giving to any person going to work in harvest, or at any other work, a certificate from the minister and one churchwarden and overseer that the party was a settled inhabitant of the parish from whence he went, which certificate protected the party from the more summary mode of removal provided by the act, and likewise secured the parish to which he went against a settlement. The statute also enabled justices to transport rogues, vagabonds, and sturdy beggars, duly convicted and adjudged to be incorrigible, to any of the English plantations beyond the seas. Other severe regulations are made for the repression of habits of pauperism, now assuming a legalised form. And this statute was followed by several more in this and succeeding reigns, the purpose of which was to diminish the facilities of gaining settlements and contracting habits of pauperism according to law.

The evils which might have been expected to result from this restriction on the free circulation of labourers introduced by the settlement laws, appear to have been severely felt before the 8 & 9 W.3. c.3. (1696-7) was passed. It recites that "forasmuch as many poor persons chargeable to the place where they did live, merely for want of work, would in any other place, where sufficient employment is to be had, maintain themselves and families without being burthensome to any parish; but not being able to give such security" (against their becoming chargeable) "as will or may be expected or required, they are for the most part confined to live in their own parishes, and not permitted to inhabit elsewhere, though their labour is wanted in many other places, where the increase of manufactures would employ more hands." This evil, though an attempt was made to remedy it in this statute by making the parish from which the party went liable to maintain him, if necessary, where he might reside, and numerous efforts had been made with the same object, remained in full operation until the passing of the Poor Law Amendment Act; and is only now in course of reduction by aid of the migration of labourers "to places where their labour is wanted, and where the increase of manufactures would employ more hands," now for a while encouraged by parishes at the expense of the poor rates, with the views expressed by the framers of the statute of William the Third.

It will be seen that at this stage the struggle of the poor laws against vagrancy as a national evil ceased, and the efforts of the legislature were in the two last described statutes, and henceforth, directed against the somewhat contrary habits generated by a state of permanent and settled pauperism. The general improvements in the habits, intelligence, and wealth of the people, had, doubtless, had the chief effect in reducing the former evil, although it is clear that a considerable effect was constantly operated by the poor laws towards reducing the poorer part of the population to a settled condition, which, eventually, terminated in a state of things in which the labourer resisted a change of place as the last extremity of evil, thinking the loss of his settlement ill compensated by the certainty of immediately bettering his condition, in as far as his condition depended on his own industry. The cause at the bottom of each of these evils was obviously the same; that is, the desire which men have to live in ease; which object was at one time most easily attained by vagabondage, at another by acquiring a fixed settlement in a parish.

The unhappy effects of the security and indifference thus begotten in the poorer classes by the settlement laws was attempted to be counteracted by two well contrived provisions in the 9 Geo. 1. c. 76. (1723), which enabled many parishes long to

withstand the encroachments of pauperism, and until their effect was weakened by subsequent enactments, would at all times have enabled officers, intent upon doing their duty, to protect their parish from gross injustice. The first provision was, that no relief should be granted to any pauper by any justice of the peace until oath had been made of some matter being reasonable ground for relief, and that the pauper had applied for relief and had been refused; nor until the overseer refusing the relief had been summoned to show cause why it had not been given. The provision was, however, found defective, because the justice was made the judge of the reasonableness of the asserted ground of relief, and of the validity of the reasons of the overseer for his refusal; and as the justices were not influenced by the motives of overseers to save the money of each particular parish, but very generally from motives of benevolence leaned to the side of the pauper, this enactment gradually became rather a means at the disposal of the paupers for coercing parish officers, than a protection of the rates against the negligence of the officers and rapacity of the pauper, as it was intended to be. When relief was at length ordered by the justices, the pauper's name was to be inserted in a book as one entitled to receive relief as long as the cause for such relief continues, *and no longer*. Overseers were to forfeit 5*l.* for every instance in which they gave relief to persons not so registered, except only when given on sudden and emergent occasions.

The other provision made by this act was, however, of the utmost value in practice, and besides proving for many years most effective for its purposes, led to many imitations with modifications in local acts, and has served, in fact, as a model for all the sound legislation which has since been attempted on the administration of the poor laws. This is the enabling parishes to provide themselves with workhouses wherein to employ the poor, and the enacting that in case any person shall refuse to be relieved in such a house, he shall not be entitled to receive any other relief. This, when all other protection failed, was long the sole means of defence of parishes against the inconsiderate benevolence of the magistracy. For the overseer or other administrative officer had, while this provision existed in its integrity, only to offer to relieve a suspected impostor in the workhouse (a mode of relief which the voluntary pauper was sure to refuse), and the justice had then no power to interfere to compel the offer of other relief. The benefit of this enactment was further extended in the same statute, by enabling several parishes, each too small to procure a separate workhouse, to unite for the purpose; and by enabling parishes without workhouses to contract with those which had one for the maintenance and employment of their poor therein.

This important statute was rapidly followed by a mass of enactments affecting the detail but not the principle of the previously existing laws, as well as by a great number of local acts following out its principles, in as far as the application of the workhouse as a means of constraint on paupers was concerned, and also adopting the principle of uniting several parishes for the purpose. These local acts also, in almost every instance, took the administration of the law out of the hands of the overseers of the statute of Elizabeth, and of the justices, and created a new administrative body generally called guardians, annually elected by the rate-payers, but sometimes self-elected.

These principles seem to have taken a strong hold on the public mind, and at length to have led to a very general belief that by a combination of several parishes, and a concentration of their poor in one large building, their paupers might, if systematically employed, be not only better and more economically kept, but might even be made *profitable*. This visionary scheme was elaborately propounded by a member of parliament named Gilbert, who seems to have procured a great number of adherents. He at length brought in the act 22 Geo. 3. c.83. (1782) (known as Gilbert's Act), which, although it does not openly profess the speculative views of its promoters, carries much internal evidence of the design in which it originated, and departs so widely from the sound principles of the statute of Eliz. and of the 9 Geo. 1. c. 7., that instead of rendering the workhouse a means of employing able-bodied paupers, and thereby deterring them from habits of pauperism by rendering their state less eligible than one of independence, it reverses the principle, and in fact, provides that the able-bodied shall not be required to enter the house, and proceeds to the absurd extent of throwing on the guardian the duty of finding work near their own house, for such applicants as profess to be able and

willing to labour but are unable to get employment, and of making up any supposed deficiency of wages out of the poor rates; thus rendering this class of persons wholly independent of any necessity to procure or keep work by their good character or conduct, and free from all restraint in the mode in which they receive relief, which they are enabled to demand and receive, as if it were the produce of their independent industry. This statute has, however, as far as the organisation of its machinery is concerned, many points of resemblance to the recent act for the amendment of the poor laws. It provides for the uniting of several parishes into one incorporation, for the purposes of managing the poor, and more especially for the use of the workhouse. It provides for the election yearly, by owners and occupiers of land and rate-payers, of guardians, who replace the overseers in the administration of relief, and the expenditure of the rate, but do not interfere with the making or collection of the rate. These guardians, however, are still left wholly subject to the local influences of the particular parish for which each is elected, being empowered to direct the relief to the poor of that parish without consulting the rest of the body of guardians; whereas, if the guardians had been allowed to act only at a board, and as a part of that board, as is the case under the Poor Law Amendment Act, all the advantages of the local and personal knowledge of each guardian would have been enjoyed by the whole board, while the decision in each case would have been made by a majority of persons from other parishes, divested of the influence of partiality, prejudice, or intimidation, or other local interests to which a guardian living in the midst of a parish, and elected by it, is subject. The ill effect of this arrangement of Gilbert's Act has been conspicuous; although it has been in many cases partially counteracted by the appointment which the act provides for, of a single visitor, who is nominated by the whole body of guardians, and appointed by the justices of the peace; he holds his authority for life; and is thus, when once elected, independent of the guardians; he is empowered to decide disputes between them, to settle and adjust their accounts, to determine doubts and questions as to the persons who ought to be sent to the workhouse, over which he has a special and almost unlimited control within the authority of the act. His office, therefore, in a great measure compensates for the absence of a board of guardians deciding on individual cases, except that the advantages of deliberation are lost; generally, however, the visitor is a more intelligent person than the other guardians, and the sense of his responsibility renders him cautious, at the same time that decision is obtained by the very absence of a formal deliberation by a body of persons.

Down to the period of the passing of Gilbert's Act, we find the legislature consistently pursuing the scheme of the statute of Elizabeth, providing a security against absolute destitution, and thereby withdrawing from every person all excuse for dishonest courses, founded on the extreme law of necessity, and at the same time affording succour with a prudent economy, and subject to conditions which rendered it less desirable, in ordinary circumstances, than a livelihood obtained by independent industry. In all this period the course pursued by the legislature had been marked by as much wisdom as had been applied to any other part of our institutions; and it was, indeed, distinguished from almost every other portion of our jurisprudence by a judicious adaptation to the general purposes of the whole institution, of the details successively added. In fact, there appears no reason for the want of complete success in attaining such objects as the institution proposed to attain, but the want of security for a strict administration of the law. The administration was doubtless bad, because it was intrusted to officers not practically subject to responsibility, nor completely interested in the well working of the system. This was felt, and accordingly Gilbert's Act, and the host of local acts before referred to, undertook to remedy the evil, but in doing so unfortunately adopted false and dangerous organic principles.

The principle of the early poor laws, in as far as they imposed restrictions on the most dangerous species of pauperism (namely, that of persons in the enjoyment of bodily health and strength sufficient to earn their livelihood), being given up by Gilbert's Act, the legislature, notwithstanding that the evils of able-bodied pauperism were from that time proceeding with alarming rapidity, continued, under the influence of a false philanthropy and a sentimentality then very prevalent, to relax step by step all the restraints which up to the 9 Geo. 1. c. 7. had been successively

applied. The consummation of this false policy was not attained until East's Act (55 Geo. 3. c. 137.) (1815) was passed. Its preamble shows the laxity of administration then prevailing, in spite of a multitude of detailed provisions made in the previous half century with the object of amending it.

It consists in a complete abrogation of almost all the salutary portions of the 9 Geo. 1.: instead of restricting the administration of relief to the period during which the cause of relief continued, justices were empowered to order relief to be given for any time they might please to define, so that it did not exceed three months; this relief was no longer required to be received in the workhouse, but was to be *paid* to any poor person or persons at his, her, or their home or homes, house or houses. Two justices might make another order for a period not exceeding six months. One restriction is imposed by this statute which must have appeared very parsimonious to the bountiful legislators who enacted the preceding provisions: the sums of money which a justice might order to be paid for any longer period than a month, were limited to three shillings per week for each person, or to three fourths of the average expense of maintaining a person in the workhouse.

The idleness, improvidence, and insolence of the population subject to the demoralising influence of these enactments were admitted on all hands, and abundantly proved by the evidence given to every parliamentary committee which sat to investigate the subject from the year next preceding the passing of this act, to the time when the commission of inquiry was appointed, in 1832, and the evidence contained in the appendixes to the report of the latter, may be considered as one vast illustration of the ruinous operation of that policy of mistaken benevolence of which this statute was the crowning work.

Excepting Sturges Bourne's Act (59 Geo. 3. c. 12.), (1819) no other of the succeeding statutes seems of great importance; this statute, with more rational general views, had objects somewhat similar to those of Gilbert's Act, in as far as it provided for the election of a body of persons to be called a Select Vestry, who supersede the overseers, and to some extent the justices, nearly in the same manner as Gilbert's Act Guardians do in the ordering of relief: it provides also for the appointment of a paid assistant overseer, and afford many facilities for the procuring of workhouses.

This was a salutary measure on the whole, though some of its provisions are infected with the policy which had been so strongly exemplified in East's Act; still that policy is mitigated, and is in fact most shown in a portion of the act which had least practical operation, namely, in the provision which enables parishes to take land for the purpose of employing the poor in its cultivation. This provision recognises the principles of the older and sounder legislation, as far as it admits the necessity of setting the poor to work; but, as applied in this act, it, in fact, amounts to nothing more than an attempt to render the poor independent of the character by which they can alone secure private employment: for the act compels the parish to stand in the situation of a private paymaster; while it has no liberty of choice as to the labourers it employs, and is, moreover, destitute of the means, as it is partly of the motives, to exact a fair return for the wages it pays. The provision adverted to is that which requires the churchwardens and overseers to pay to such of the poor persons as they may employ, *reasonable wages* for their work; and gives to their labourers "such and the like remedies for the recovery of their wages as other labourers in husbandry have." (§ 12.)

The opinion of the public, with respect to the necessity of amending the machinery, and thereby the administration of the poor laws, seems to have remained unchanged since the time when the 9 Geo. 1. c. 7. was passed; and, as has been seen, continual efforts had been made to alter the character of the administrative officers, and to apportion their functions more judiciously. The act last described had this object chiefly in view; and the most important act which has succeeded it (with the exception of the Poor Law Amendment Act) was that known as Hobhouse's Act, — the 1 & 2 W. 4. c. 60. (1831). Its provisions are chiefly remarkable, because they are adapted to town parishes of large population; no parish out of a city or town being empowered to adopt them, unless there be more than 800 rated householders in the parish who have paid their poor rates of the preceding year. It enables the inhabitants of a parish, by the votes of a number which can in no case be less than one third of the whole number of rate-payers, to adopt the act. On its adoption it becomes the law for electing vestrymen and

auditors of accounts; in whose appointment each rate-payer has one vote, to be given in the manner provided by the act. The vestry must not consist of less than 12, nor more than 120, resident householders, assessed to the relief of the poor on a rental of not less than 10*l.* when the parish is not within the metropolitan police district, or on a rental of 40*l.* if the parish be within this district, or contain above 3,000 resident householders: one third of the vestrymen go out annually, in whose place an equal proportion are at the same time elected.

The vestry so elected supersedes the authority of all former vestries, and absorbs the functions of overseers, as the auditors, who are elected in like manner as the vestrymen, do the functions of justices of peace, in auditing the accounts of the parish. This audit is to take place twice a year, and extends, as has long been found to be extremely necessary, to all monies entrusted to overseers, churchwardens, surveyors, and to all boards having control of any portion of the parochial expenditure. The course of the proceedings of the vestry and of the auditors is judiciously marked out by the act. There is no doubt that this act was calculated to introduce a better regulated and more responsible administration of parochial affairs than was generally attainable in populous parishes under the general law, and that its provisions are superior to those of most local acts, obtained by the more important parishes, with the same object in view. Owing chiefly to the difficulty of obtaining the concurrence of a sufficient number of inhabitants, this act has been adopted in but few parishes, though these few are very extensive and populous.

Enough has been said, in giving this account of the more important enactments, to show the great conflict of principles and of modes of administration, in this department of our laws; the confusion introduced by the great number of enactments of subordinate importance, and of the series of divisions of courts of law, had rendered the whole system of poor laws utterly unfit to be administered by local and untrained officers, even if officers could have been found whose interests were identical with those of the communities for which they acted, or who could have been constrained to act in obedience to them. So complicated a system was obviously difficult to administer: unauthorised practices naturally followed; and the legal course being once abandoned, it became difficult to return to it, and contests and litigation between parish and parish, and between the inhabitants of the same parish, ensued to an enormous extent.

A body of law so difficult to reconcile, and necessarily misunderstood by the class of people intrusted with its administration, afforded practically no guide to the understanding of its officers, who, in despair of acting altogether lawfully, found it more easy, and sometimes more advantageous, to act according to their own judgments. The principle of the law was thus constantly lost sight of, or voluntarily abandoned; while the officers charged with the duty of administering it endeavoured to shift off from themselves all responsibility, by calling in the advice of a vestry. This fluctuating body, which rarely consisted of the inhabitants of a parish the most interested in its welfare, thus, together with the overseers, found, in the poor rates, a source of power and a means of serving their particular and temporary interests, as employers of labour, or as tradesmen supplying the poor, or in various other ways, according to their several circumstances. The magistracy, too, who exercised a large control over the parochial authorities, were equally at a loss to interpret or reconcile the law, and were influenced by motives sometimes of humanity, sometimes of ambition, and often of more sordid interests, all equally independent of the true objects of the institution. The fund was thus almost universally diverted from the objects contemplated by law to objects connected with the supply of labour to individual employers, to the administration or the acquisition by them of personal power or popularity; how injuriously to the community, the recent reforms are now practically showing.

Parliamentary committees of the houses of Lords and Commons had from time to time been appointed, and had received evidence and reported on it, without being able to come to any conclusion as to the measures necessary to abate the evils of the system, which were, on all hands, admitted to be enormous, and even by many feared to be irremediable.*

* A French committee of mendicity, in reporting on the proposal to establish a poor rate, adverted to the evils of the poor laws in England in these terms: — "Cet

A commission of inquiry was at length appointed in 1832, with means of investigation which parliament itself cannot exercise. It consisted originally of eight members, Mr. Chadwick, who had consented to act as assistant commissioner, being at length added to the number. The inquiry was directed by these commissioners, and conducted in detail by assistant commissioners, serving gratuitously. The evidence collected was of various quality, but was generally valuable. Some of it, especially that of Mr. Chadwick, was of the utmost importance and interest; and, unlike the greater part of the evidence, made to bear upon the causes in operation, and the mode in which they operated, instead of being a mere descriptive detail of the evil results of the system.

The public were already aware that the expenditure for the support of the so-called poor had been progressively increasing in a ratio much greater than the increase of the population; and this in a long period of progressive national prosperity. The evidence collected by the commissioners from every district of England and Wales seemed to show that wherever the expenditure had most increased, there also the industry of the labourer had proportionally degenerated, because, in such places, subsistence from the poor rates was more easily obtained than by labour — That under such influences his prudence and thrift were discarded, because they could, with the utmost success, only secure for him, by present sacrifice of enjoyment, the same future advantages of which the parish held out a prospect without the necessity of any sacrifice save that of independence — That his sobriety and temperance were thus left without encouragement, and, on the other hand, exposed to the temptations of comparative idleness, and the facilities for the indulgence in idleness and intemperance which always accompany the growth of pauperism: his respectability of demeanour was now useless, as respectability of character ceased to be relied on as a means of securing employment, itself no longer an object of desire — That in the same proportion as he became independent of regular industry, did he also become independent or regardless of the comforts of his home, which are indispensable to the labourer after a day of toil, but are rarely sought or valued as a change after a day spent in idleness or dissipation. It was also observed, that as the habit of pauperism increased, the standard of subsistence of the labourers in the district was lowered, the relief never being sufficient of itself to maintain the pauper independent of all work; and yet, by rendering him partially so, constantly tempting him to forego that further portion of comfort which was attainable only on the comparatively hard terms of earning it by the sweat of his brow. The standard of the paupers' subsistence being once lowered, that of the industrious labourers, amongst whom they lived, and who occasionally felt the effects of their competition, fell also. Where the system prevailed of allowing relief in aid of wages, there the operation was immediate, as all the labourers were at once pauperised, being equally exposed to the effects of a system which left all industry, beyond a certain point, without its reward, and therefore without a visible object. While these influences were destroying the industry and morality of the able-bodied labourers, the bastardy law was holding out encouragement to female unchastity, in the way of a money allowance for each bastard, which, by its amount, of itself elevated her condition in proportion to the number of her spurious offspring, rendering a mother of several bastards better off than she would have been as a mother of as many lawful children, and securing her a dower which usually tempted some man to marry her; while the same law, by subjecting the supposed father to punishment, often subjected him, at the woman's discretion, to the alternative of marriage or a gaol — the former of which was generally chosen as the least present evil. Under these influences female chastity had, in many districts, so far ceased to be valued as a virtue, that not only the woman herself, but her parents and her husband seemed, where the law had had its full effect, to have become indifferent to it.

The evils of the system were not confined to the paupers, but extended to

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example est une grande et importante leçon pour nous, car, independamment des vices qu'elle nous présente et d'une dépense monstreuse, et d'un encouragement nécessaire à la fainéantise, elle nous decouvre la plai politique de l'Angleterre la plus dévorante, qu'il est également dangereux pour sa tranquillité, et son bonheur, de détruire ou de laisser subsister."

all who had to administer the law. So large a fund as between seven and eight millions, administered without any practical responsibility, naturally tempted the cupidity of the officers through whose hands it passed. The office of overseer was, therefore, generally sought by a class of small farmers and tradesmen, to whom the office must have been most burthensome had it been discharged gratuitously as the law provided. It was found that the overseers were usually appointed, in places where the evil had reached a great height, not from the class of the *substantial householders* of the parish, as the statute of Elizabeth requires, but were usually needy persons, to whom the indirect advantages of the office were important, and who were helped into the office by the efforts of persons similarly interested, either as tradesmen of the parish, or as owners of the dwellings which the paupers inhabited, or in other ways, more as receivers, directly or indirectly, of the rates than as rate-payers. The spirit of the enactment in the 45 Geo. 3. c. 54. §1., which provides that no contract for the lodging, keeping, or maintaining the poor, or for taking the benefit of their work for their better maintenance, shall be valid, unless the person with whom it is made shall be resident within the parish, was fully carried out in practice in nearly the whole of the 15,000 parishes and places separately maintaining their own poor — every tradesman of the parish, and every employer of labourers, being bribed to maintain whatever system the vestry adopted, by a share in the profitable supply of the parish poor, or by the payment of a part of the wages of his labourers in the shape of relief to them out of the rates. The refractory parishioners were constrained to acquiesce on pain of losing these and similar advantages, which being withdrawn or denied left to them only the obligation of paying those rates. To secure the full operation of this system, the parish was not permitted to deal elsewhere for any commodity with which any parishioner could supply it, and was thus usually confined to the worst market for the goods it purchased, in the same manner as by the settlement laws it had been cut off from the supply of other labourers while any belonging to the parish remained unemployed.

The evidence seems also to prove that the functions of the magistracy had almost invariably ceased to be applied to the objects for which they had been created. The magistrates of counties were usually too dispersed, and too little immersed in the actual business of the several parishes, to avail themselves of the advantages which the overseers and the other more immediate administrators of the system derived from it. The magistrates of corporate boroughs, towns, and cities were, however, in many instances, found to be not less rapacious or ready to apply the administration of the law to their pecuniary profit or direct advantage than the parochial officers. But, although the magistracy must generally be acquitted of having sought to derive an immediate pecuniary advantage from the administration of the poor laws, they were none the less ready to pervert the law to purposes utterly at variance with its original purposes and with the prosperity of the community. Very many of the magistrates, influenced by benevolent intentions, were ready on all occasions to admit the claim of the pauper, and to compel overseers to administer relief when they inclined to refuse it: such magistrates were constantly resorted to by paupers in preference to others who more vigilantly examined the grounds of their claims; and a reputation for being the *poor man's friend* was easily earned by the lavish and immoderate expenditure of the fund of the general rate-payers. This reputation was found to be useful in many ways, and was thus sought for political purposes, or for the attainment of local power, or for the mere gratification of vanity, by many magistrates, whose sympathy for the pauper would never have been excited if it had been incapable of being gratified at the expense of the rate-payers. When it is considered that the county magistrates lived in the midst of a population of willing paupers, and the means of annoyance which the latter possessed, if they found occasion to use it, against an obnoxious person is also borne in mind, it is not to be wondered at that the magistracy generally purchased the goodwill of their neighbours by sacrificing the interests of the rate-payers, whom they never had personally before them, and who were very inadequately represented by the overseer, whose interests were too frequently found to coincide more with the demand of the pauper and the inclination of the magistrate than with the strict line of his duty.

Such are the general features of the evils which were represented by the Report of the Commissioners of Inquiry to be in progress throughout England and Wales.

and to be in full vigour of operation in most of the southern agricultural counties. The picture has been often considered to be overcharged, and it was unquestionably to be expected that the evils of the system would be more easily exemplified than its benefits; and it was further considered that the interest of the assistant commissioners was obviously to swell the catalogue of abuses, in order that the necessity of a remedy, in the application of which they might expect to be employed, should be made more apparent. Still their statements have in no case been contradicted, nor controverted in any material point; although it is obvious that the will has not been wanting to do so, and that if the account had not been generally faithful, it would have been most easy to expose its falsifications. Nor have any beneficial operations of the system which the commissioners and their assistants examined been produced, while the advantages of a system in most respects opposed to it are now becoming day by day felt and admitted.

The portion of the Report in which the abuses of the law were detailed was drawn up by Mr. Senior. The remedial measures proposed in the remaining portion of the Report were devised and expounded by Mr. Chadwick, with the exception only of that part which relates to the law of bastardy, which was understood to have been drawn up by the Bishop of Chester.

Remedial Measures as proposed by the Commissioners of Inquiry.

As the bill, which was introduced into Parliament subsequently to the making of the Report, was not passed with all the provisions which the Commissioners had recommended, it is desirable to state their nature and extent, more especially because there is a high degree of probability that the whole of the measures recommended by them will be finally adopted, now that the portion of them of which an experiment has been made has been found to have the effects which were anticipated by the Commissioners and the promoters of the change.

The main principle of the proposed measures was, that in administering relief to the indigent, "the condition of the pauper should in no case be so eligible as the condition of persons of the lowest class subsisting on the fruits of their own industry." The necessity of the systematic adoption of this rule is obvious; and it was further justified by the Commissioners by a reference to evidence, which seemed to prove that a condition worse than that of an independent agricultural labourer may, nevertheless, be a condition above that in which the great body of English labourers have lived, in times that have always been considered prosperous. (*Report*, p. 229.) A great deal of evidence was also produced to show that in the few instances where the principle had been applied, the results of its adoption had been found to succeed in an invariable order; the first result being the conversion of able-bodied paupers into independent labourers, and a simultaneous reduction of the parochial expenditure (p. 233.); the second observed result being a rise in the wages of labour (p. 237.); the third, a diminution of improvident marriages (p. 240.); and the fourth, increased content of the labourers as their industry, the reward of their industry, increased: and the fifth, a diminution of crime (p. 241—261.)

As a means of bringing the principle into complete, constant, and systematic operation, it was proposed that the mode of relief, which had been tried in many instances and found beneficial, should be generally enforced; that is, "that the practice of giving relief in well-regulated workhouses, and the abolition of partial relief to the able-bodied, should be extended to all places, this being the only means by which the intention of the statute of Elizabeth can be beneficially carried into effect." (p. 261.) This peculiar mode of administering relief was recommended, on the ground that, while it subjected the pauper to the condition on which the statute of Elizabeth had alone entitled him to relief, namely, that he should give his labour in return, it also afforded the only means by which, in ordinary circumstances, he could be subjected to inspection and control; and it has been invariably found that a well-regulated workhouse, even where the means to keep its inmates steadily employed were wanting, was more formidable to the indolent pauper, on account of the restraints to which it subjected him, than the severest labour without such restraint. The workhouse presented itself, therefore, as a self-acting test of the condition of the able-bodied paupers; the class whose demoralisation by pauperism was the great evil of the system; and who would, it was considered, be deterred from asking relief, on condition only of receiving it in a workhouse, while a subsistence superior

to that of the workhouse could be obtained without such restraint. It was also recommended on the ground that, in the act of receiving relief, the pauper would be at once distinguished from the independent labourer; whereas, previously, the pauper was only distinguishable, amongst the independent labourers with whom he mixed, by his superior facilities of obtaining his livelihood, and his greater indifference in seeking and keeping employment. A third main recommendation of the workhouse system was, that it withdrew from the officers having the administration of relief all discretionary powers, and thereby diminished the opportunity for abusive and partial administration; as it also withdrew from the applicant the motives for intimidation and fraudulent misrepresentations, by which, under the previous system, he had constantly obtained or extorted a more and more ample relief, and an immunity from the conditions on which it should alone have been granted. (p. 264—276.)

It was proposed to carry these principles of administration into effect chiefly by the aid of a Central Board of Control. The whole history of the poor laws presents but one picture of the evils of leaving the administration of the law to a set of unconnected functionaries, having little or no community of interest with the persons whose affairs they transact, or, perhaps, contrary interests, and subject to no control except the very irregular interference of the courts of law. The Commissioners enforced strongly the necessity of a constantly controlling body, which might compel an adherence to the law, without waiting to be called in by litigant parties; and whose duty it would be to ascertain the working of every portion of the system, and to apply such discretionary powers as should be vested in them for the remedy of evils as they occurred; and, when their own powers failed, to be ready to suggest to the legislature the remedies which their large experience would enable them to point out.

The chief arguments urged in favour of this plan were, first, the want of appropriate knowledge on the part of the annual officers, to whom the distribution of relief is intrusted; this argument being abundantly supported by evidence of the general and extreme ignorance of this class of officers, a very large proportion of whom were shown to be unable either to read or write, and a still larger proportion incapable of keeping the accounts of their office (p. 281—286.): secondly, the short duration of their authority, which was shown to prevent even the more intelligent officers from obtaining the requisite experience for the safe performance of their duties, and to deprive the public of their services precisely when they were becoming most valuable; and it was further shown, that the benefits occasionally produced by the efforts of one overseer ceased when his time of office expired, while the onerous nature of the office prevented any but the most public-spirited persons from engaging to serve a second year when the proper administration of relief was the sole object to be obtained by the service: a third reason was the smallness of the districts in which the ordinary officers exercise a control, the division of districts operating as an impediment to the spread of improved management; in illustration of which, it was shown, that in no instances of exemplary improvement in any of the parishes to which the commissioners had had frequent occasion to refer, had its example been spontaneously followed by the officers of the neighbouring parishes. Further reason adduced was the general inadequacy of motives in the local officers to support a correct administration. On this subject, after forcible remarks on the usual incapacity of officers, the commissioners observe, that "Such being the *capacity* of a large proportion of the distributors, we shall find the state of their *motives* to either the commencement or the support of improvement equally unpromising. Persons engaged in trade have represented the management of parochial affairs to be analogous to the management of a bankrupt's estate by creditors, where, although each creditor has an interest in the good management of the estate, yet, as the particular creditors who were appointed assignees had not an interest sufficient to incite them to exertions which necessarily interfered with their other and stronger interests, no estates were ever so extensively mismanaged, or so frequently abandoned to plunder, until a special and responsible agency was appointed for their protection. The common fallacy in which the management by overseers, that is, by two or three persons, is treated as a management by the people of the 'people's own affairs,' and 'attention to their own interests,' meaning the affairs and interests of some hundreds or thousands of other persons, may be exposed by a slight examination of

the evidence. It will be found that the private interests of the distributors of the rates are commonly at variance with their public duties, and that the few pounds, often the few shillings, which any parish officer could save to *himself* by the rigid performance of his duty, cannot turn the scale against the severe labour, the certain ill-will, and now, in a large proportion of cases, the danger to person and property, all of which act on the side of profusion. And it must be recollected, that the consequences of a large proportion of the existing mismanagement do not fall on the parishes in which they have originated; but upon those against whom, under the present system of parochial warfare, they are aimed, and that much of that mismanagement is, consequently, mismanagement by the officers and by the vestries, not of their own affairs, but of the affairs of other parishes, or of the public at large. Even if the whole power were left to the vestry, and the vestry were composed of the proprietors as well as of the occupiers, it could not be said, except in very small parishes, that the governing body were the managers of their own affairs. Numerous bodies are incapable of managing details. They are always left to a minority, and, usually, to a small minority; and the smaller that minority, the greater, of course, is the preponderance of private and interested motives.

"It must be added, as indeed might have been expected, that as parochial duties become more arduous, as they require more leisure and ability, those who have that leisure and ability appear less and less inclined to undertake them. This is shown in the great falling off in the number of representative vestries, in consequence of the difficulty of obtaining the attendance of those who were the best qualified; although such vestries are amongst the best existing instruments for systematic management, with the least annoyance to those who perform the duties. It has been stated to us, that in one district, where the income of the proprietors was reduced nearly one half, chiefly by the progressive increase of the rates, several of them declared that they would abandon the remainder rather than encounter the annoyance of having to contend against the system. The property of the whole parish of Cholesbury was abandoned to pauperism, apparently without a struggle." (p. 286, 287.)

A counterpart of this reason was found in the evidence, showing the force of the interests of the local officers in abusive administration, and the effect of intimidation on the part of the rate-receivers, operating and openly avowed in the more pauperised districts at the time the Report was made, and rendering hopeless a change, in which those officers were to bear a responsible part, even when their real intelligence and honesty were otherwise equal to the necessities of the case.

Of course, it was contended that the Central Board could be so constructed as to have its interests made coincident with those of the public, and that it should, moreover, be rendered thoroughly responsible for its acts: that intelligence could be easily secured in so few officers as would be required, and could be adequately rewarded, at a cost insignificant, as compared with the advantage; and that a wide and minute experience must be gained by such a board, the due use of which would, together with an increased responsibility, be in some measure secured, by compelling them to report to Parliament periodically, and to the Secretary of State whenever they should be required: that, with adequate powers, every improvement made in one place would, by such an authority, be extended to all places where it was applicable: that it would, under the legislature, be alone responsible for all changes of administration, and, in making such changes, would be removed from the local influences, whether of profit or intimidation, to which local officers are subject.

In order to give to this body a sufficient authority to carry into effect the remedies contemplated by the Commissioners of Inquiry, it was proposed to invest it with a subordinate power of legislating, by means of rules and orders; a power intended to be exercised according to the emergencies and necessities of each district, but which was to be especially limited to certain purposes defined by the act of parliament. Of these purposes, the first was the uniting of parishes, for better workhouse management: the grounds of this recommendation were found in the greater facilities it afforded for a more systematic and effective administration of the law, and the enormous saving of money and labour to be effected, by the merging of above 15,000 separate districts into between 700 and 800 unions, the latter being the number which it was supposed would be most convenient for the despatch of business. The reasons which operated on the Commissioners of Inquiry, as justifying

these recommendations, are forcibly and clearly stated in their Report, pp. 314—319.; and were further supported in a document prepared for presentation to the Secretary of State, which presents in a condensed statement the chief advantages derivable from the proposed arrangement, and from which the following passages are extracted, without the reasoning which accompanies them. "What our evidence does show is, that, where the administration of relief is brought nearer to the door of the pauper, little advantage arises from increased knowledge on the part of the distributors, and great evil from their increased liability to every sort of pernicious influence. It brings tradesmen within the influence of their customers, — small farmers within that of their relations and connections, and not unfrequently of those who have been their fellow workmen, — and exposes the wealthier classes to solicitations from their own dependents for extra allowances.

"It appeared upon examination that, of all England and Wales, the burthen in the hundred absolutely largest parishes was 6*s.* 7*d.* per head of the population; in the hundred parishes intermediate between the largest and smallest, it was 15*s.* per head; in the hundred absolutely smallest parishes, where, according to the hypothesis" (maintained by the opponents to the system of incorporetion) "the burthen should have been the least, it was 1*l.* 11*s.* 7*d.* per head.

"It appears to us to be of great importance that the principles of administration connected with the extension of the districts of management should be extensively known. They may be thus expressed: —

"The larger the district the more efficient the management. In proportion to the extent of the district will be the experience which guides, and the means for its application; the necessity and the means of classification and management in classes; with regulations applicable to the classes; or, in other words, upon general principles.

"The management upon a larger scale must, it was agreed, proportionally diminish the pernicious indulgencies and exceptions in favour of particular individuals. Each set of administrators, being supposed to have local acquaintanceships with persons applying for relief, may be considered to be liable to their influence, and may also be deemed liable to biases from local interests of other descriptions. The personal connections and interests of any set of officers will not be materially extended by the extension of the district: and, therefore, where one union or one set of officers is made to supersede the management in fifty parishes by fifty sets of officers, there is, at the worst, one source of maladministration substituted for fifty. Therefore, the larger the district, the greater the freedom from the liability to have the whole management warped to serve individual or sinister purposes. In the single parish, and especially in the small parish, the administration of relief, or the collection of the rates, are frequently so managed as to charge or exempt some particular proprietor or some description of property; *e. g.* to 'spite' the parson, or defraud the tithe owner. In proportion to the extension of the district is the difficulty of wielding the whole administration of relief for the sinister purposes of individuals.

"The larger the district, the greater the means of efficiency or of pecuniary economy in the management. Either the efficiency of that management may be increased by obtaining, for the same money, a gradation of more skilful officers for the whole district than could ever be obtained for any one parish of the district: or the pecuniary burthen may be diminished by making one officer attend to a wider range of objects; and, as it has been before stated, a small parish may not have more than a dozen able-bodied labourers, yet, for the separate superintendence of their labour, the same expense would be requisite as for the superintendence of the labour of one or two hundred labourers, the able-bodied paupers of a whole district.

"The larger the district, the greater the gain in the consolidation as well as in the division of labour.

"In the establishments of the larger parishes, whilst there is great gain in efficiency by the division of labour, there is also frequently gain by the concentration of labour, where it may be concentrated without interfering with the performance of other equally important duties." . . . . . "The larger the district the greater the certainty of so much of the good management as depends on the certainty of finding the most fitting officers. It is evident that for pauper management officers of very high skill are required. As it is easier to find one able man than fifty, so, in a union

of fifty parishes, it will be more easy and certain to find an officer for the whole union than one for each of the fifty parishes.

"This is an administrative arrangement of very great importance for all purposes where the subject is required to execute, without pecuniary return, functions which imply any degree of care or skill." . . . . "The policy of the measure is, therefore, to economise the demands for extraordinary merit, and to concentrate responsibility on those who have the best means of bearing it — those who give continuous attention to the performance of their duties; namely, the paid officers. By the enlargement of the districts, not only the men, but the means of rewarding them, are best obtained.

"The larger the district, the better the means of obtaining good supplies at a cheap rate, by open tender. This proposition, perhaps, needs no exemplification; and we will only add, that one large job is not so costly as fifty small ones, and by reason of the greater publicity is by no means so easily perpetrated in the large as in any one of the fifty petty districts.

"The larger the districts, the less the difficulty of finding various descriptions of useful employment for the paupers.

"The larger the district, the greater the facilities for effecting alterations in detail, by bringing to bear the whole power of the union upon any detail, or upon any class of cases, or upon individual cases singly and separately."

It will be seen hereafter that the results in question have, since the Poor Law Amendment Act became law, fully justified the soundness of every one of these principles.

The next power with which it was proposed to invest the Commissioners was that of regulating the powers and duties of the subordinate paid officers concerned in the administration of relief. This recommendation extended so far as to propose that *the Commissioners should "recommend to parishes and incorporations proper persons to act as paid officers;"* this portion of the recommendation was rejected by what appears to have been a salutary jealousy on the part of the legislature; for, admitting that the patronage of the Commissioners would have been honestly and judiciously employed, their acquaintance with individuals could not have been sufficiently extensive to enable them to point out eligible persons for all the places which would require officers. Their powers were, therefore, confined by the legislature to the determination of the qualifications of persons to be chosen, and a power to remove unfit persons. This extent of power was absolutely necessary, and cannot be abused, as the qualification must be general, and cannot be so stated as to secure the appointment of any single individual, nor to exclude any but whole classes of persons; while the responsibility of the Commissioners to the public opinion, and to the government, as well as the very direct interest the Commissioners have in procuring competent officers to carry into operation the law which the Commissioners superintend, are additional securities for a proper set of qualifications being fixed by them. The almost universal disregard of the public interest in the appointment of paid officers under the then existing system, was abundantly proved by the evidence collected, which at the same time proved the necessity for the control of those appointments by a responsible body. At the same time the evidence completely established the necessity of having paid subordinate officers for all the most momentous duties of administration, instead of gratuitous ones, whose object was, almost invariably, either to compensate themselves by indirect means for the trouble they incurred, — and in compensating themselves, they rarely calculated their own trouble at too low a value, — or to avoid their duties to the utmost practicable extent; both objects easy of attainment, from the supineness of that part of the public really interested in checking abuse, and from the operation of the conviction, which was general, that the duties of so onerous an office as that of overseer should not be strictly enforced against the persons who were so unlucky as to be appointed to it.

The next leading proposal was one, of which the utility could not be denied, and was, admitted into the act without opposition, although the mass of small interests that were opposed to it in every parish was incalculably great; this was *that the Central Board should be empowered to direct that the goods for parochial consumption should be supplied by tender and contract, and to provide that the competition should be perfectly free.*

Another proposal which the legislature did not acquiesce in was, that in all cases of direct embezzlement, the Central Board should be directed and empowered to act as public prosecutors. This proposal was made in the view of aiding the foregoing, which was directed against jobbing and indirect fraud, as this was against direct fraud. Perhaps, however, it was deemed unwise to expose the Central Board to the temporary odium which might attach to them as public prosecutors, or, as their opponents would have called them, informers. Nevertheless, the argument on which the proposal was grounded appears perfectly sound — they are as follows: —

"Direct embezzlement must also be guarded against more effectually than while left to voluntary prosecution. It is vain to expect men to proceed, on public grounds, against their own neighbours, friends, or connections. It is to local influence, not to the absence of peculation, that we ascribe the rarity of prosecutions against parochial defaulters; and the prosecutions which do take place are often attributed, truly or falsely, to private motives, and public sympathy becomes enlisted in favour of the criminal."

The event has shown the necessity of some official authority to prosecute — there being few cases since the recommendation was made and rejected, where a prosecution has been had, out of many where it was of the first importance to the public interests that the offenders should have been effectively punished.

The next recommendation of the Commissioners of Inquiry was, that "*under regulations to be passed by the Central Board, parishes should be empowered to treat any relief afforded to the able-bodied, or to their families, as a loan.*" This was so far an extension of a provision of Sturges Bourne's Act (59 Geo. 3. cap. 12.): but it was further recommended, that the amount of the loan should be recoverable by attaching the wages which might subsequently be found in the hands of the employers of the pauper, in a manner similar to that in which seamen's wages is attachable.

It is stated that "from the metropolis, from the provincial towns, and indeed from nearly every district, complaints have been received that large classes of persons, who obtain, during particular seasons, such wages as would enable them to maintain themselves and their families until the return of the season of work, and provide by insurance against sickness and other casualties, spend the whole of their earnings as fast as they receive them, and, when out of work, throw themselves and their families on the parish, and remain chargeable until the period of high wages returns. The alternations of dissipation and of privation to which such persons have become habituated, render it probable that, even under an improved system of administration, many of them would endure the most rigid workhouse discipline during the winter, to gain freedom from self-restraint during the spring, summer, and autumn."

"A large proportion of those who become in any way chargeable to the parish, are incapable of self-control, or of altering their habits, and making any reservation of money when once it is in their possession, although they acknowledge their obligations, and are satisfied to perform them."

And much evidence was adduced, in favour of the attachment, obtained from all classes of persons; particularly from the employers of labourers, as well as from experienced officers engaged in the administration of relief, from clergymen, and from the officers of benefit societies, savings' banks, and other provident institutions.

It was further stated: —

"It appears that, from the Chelsea pensioners, there are about 3,500 quarterly assignments, or 14,000 annual assignments, of pensions to parish officers, and 1,480 pensions annually claimed by virtue of magistrates' orders, in cases in which pensioners have allowed their wives or families to become chargeable to the parish; and that from the Greenwich out-pensioners, 1,200 pensions, amounting to 12,530*l.*, were attached and recovered last year. The parish officers examined upon this subject agree, that, but for the provisions of the act, the whole amount of these pensions would be lost to the parish, and would be injuriously wasted by the pensioners, from their incapacity to take care of large sums of money."

And it was added that,

"Any collection from the labourer himself must be weekly, and the labour of collecting these small instalments would often prevent its being undertaken; but if wages were attached in the hands of the master, the payments might be at longer intervals, or in liquidation at once of the whole demand.

" Tradesmen declare that they should feel it no grievance to be compelled to make reservations of wages to satisfy such demands, and that whatever money was recovered, would be recovered from the ginshop. The more important object of the measure is the reimposing motives to frugality on those who possess the means of being frugal; on this account we consider that it would be deserving of adoption, though the greater number of labourers defeated the claims upon them by absconding. By a tolerably vigilant administration of the proposed law, however, much money might be recovered from them. A large proportion of the labour of the classes in question is of a nature not to be found everywhere. A tailor may run away, but a brickmaker can only get work in the brick-fields, where he may be found. During the period when the labourer is in the receipt of full wages, if he spend them he will have in prospect the necessity of absconding in search of work at the commencement of another season; and if subjection during the interval to strict workhouse regulation be comprehended in the view, there can be little doubt that he will often be impelled to have recourse to the savings' banks to avoid the inconvenience."

The power vested in the overseers, of fixing a parish apprentice on any parishioner, who, whatever be his condition in life, is bound under a penalty of 10*l.* to accept the apprentice has, it is notorious, been very generally used as an instrument of tyranny and vexation against individuals obnoxious to the overseers and their party in the vestries. It has operated not less cruelly upon the child, who is often made the victim of a master upon whom it is forced without the acquiescence of either party. Often, too, it is little better than a slave traffic, by means of which a poor child is deprived of liberty for several years, and bound, without compensation, to become the servant of a master, who, but for these laws, must hire and pay for its services. The practice, too, of town parishes where the system exists of apprenticing children to regular handicraftsmen or traders, and of giving premiums to the masters, instead of acting on the compulsory powers of the statute of Elizabeth, is equally well known to have been made use of equally to the fraud of the rate payers, as the prejudice of the children. A further evil, which has been abundantly established, is, that this system of giving premiums with poor children has induced masters to refuse to take into their service the children of independent parents too poor to give premiums, whereas, had it not been for the expectation of the parish premium, the master's necessities would have induced him to hire children to do the services now done by apprentices. This latter operation thus prevents the children of the most meritorious class of parents from procuring a livelihood, and from obtaining habits of skilled industry,— and does all this by means of a great evil to the rate-payers. Such being some of the admitted evils of the parish apprenticeship system, it is still to be confessed that a judicious administration of the system has apparently proved of great benefit to parishes and to the children. It is, however, to be deeply regretted that the inquiries of the Commissioners did not extend further into the subject. They state —

" In our recommendation of the prohibition of partial relief to the families of the able-bodied, we proposed that relief by apprenticing should, to a certain extent, be excepted from that prohibition. In the instructions given by us to our Assistant-Commissioners, we directed them to ascertain ' the practice in the different parishes as to the apprenticing of poor children, inquiring to what class of persons they are apprenticed, and whether such persons take them voluntarily or by compulsion, and, if the latter, according to what principle they are distributed; whether any, and what care is taken to see that they are well treated and taught; and whether there are any grounds for supposing that a power to bind for less than seven years would be expedient.

" But we regret to say that we have received less information on this subject than on any other. The most important is that collected by Captain Chapman * and Mr. Villiers †, but even that is contradictory; and if it were consistent, too meagre to afford grounds for legislation. It is a mode of relief expressly pointed out by the 43d of Elizabeth, and so much interwoven with the habits of the people in many districts, that we should hesitate, even if its evils were much more clearly ascertained,

* App. (A.) pp. 431—435. † App. (A.) Part II. pp. 6—8.

and even if we believed that those evils will not be much diminished by the alteration which we shall propose respecting settlement, to recommend its abolition, until it has been made the subject of further inquiry, and until the effects of the measures now likely to be introduced have been ascertained by experience.

"At the same time we think it probable, perhaps we might say certain, that further inquiry will show that the laws respecting the relief to be afforded by means of apprenticeship are capable of improvement, particularly those portions of them which render the reception of a parish apprentice compulsory."

And they proceed to recommend "*that the Central Board be empowered to make such regulations as they shall think fit respecting the relief to be afforded by apprenticing children, and that at a future period, when the effect of the proposed alterations shall have been seen, the Central Board be required to make a special inquiry into the operation of the laws respecting the apprenticing children at the expense of parishes, and into the operation of the regulations in that respect which the Board shall have enforced.*

The appendixes to the Report contained a large mass of evidence on the subject of vagraney and as the Commissioners observed; —

"It appears from this evidence, that vagrancy has actually been converted into a trade, and not an unprofitable one; and it also appears, that the severe and increasing burden arises from the vagrants by trade, not from those on account of destitution. We state, in proof of this,—and the statement is more valuable, as it points out the remedy as well as the cause of the evil,—that in those few districts in which the relief has been such as only the really destitute will accept, the resort of vagrants has ceased, or been so much diminished as to become only a trifling inconvenience. But it appears vain to expect the remedy from detailed statutory provisions. The tendency of legislation respecting the poor to aggravate the evils which it was intended to cure,—a tendency which we have so often remarked,—is strikingly exemplified in that portion of it which respects vagrancy. The early statutes attempted to repress it by severity. 'This part of our history,' says Dr. Burn, 'looks like the history of the savages in America. Almost all severities have been exercised against vagrants except scalping; and as one severity fell short, it seemed naturally to follow that a greater was necessary.' But such was their effect, that every successive preamble admits the inefficiency of the former law down to the 1 & 2 Geo. 4. cap. 64., which recites, 'that the provisions theretofore made, and then in force, relative to the apprehending and passing of vagrants, were productive of great expense, and that great frauds and abuses were committed in the execution thereof;" and to the 5 Geo. 4. cap. 83., which declares that it is expedient to make further provisions for the suppression of vagrancy. Nor has the last-mentioned act been more successful than those which preceded it. As one among many instances in which its provisions have been perverted, we will mention the effect of the 15th clause, which allows the visiting justices of prisons to grant a certificate, or other instrument, enabling any person discharged from prison to receive relief on his route to his place of settlement. The intention of the clause was to enable prisoners, after having undergone their punishment or trial, to go *from* prison to their own homes without temptation to further crime. The effect has been 'for the benefit of the pass' to convey *into* prisons paupers, and families of paupers, as if the legislature intended that they and their children should have all the terrors of a prison obliterated from their minds, and receive instruction in the worst schools of vice; as if provision ought to be made to increase the stock of juvenile delinquents, already more numerous in England, than in any other European country. By what foresight could the benevolent author of this clause have guarded against such an administration of the enactment as that which one of the witnesses, a gaoler, thus describes? 'It is a melancholy thing that poor people are sent into prison as vagrants that they may be passed home. There is now a mother, a widow with five children, under my care; the boys are from 5 to 15 years of age. The mother was committed, not for any crime, but having been found sitting in the open air. Now what, I beg to ask, can be the effect of sending these children with their mother to a gaol? What can they not learn? In general, vagrants are told that they are sent to prison, not for their punishment, but for their benefit. Prisons should not, in any case, as I humbly conceive, be held out as places where people are to be *benefited*. They are now

looked upon as places of *relief*, and the large class of vagrants are told that they are sent to prison avowedly for their advantage.*

" 'When the law,' says another witness, 'was made restricting pauper passes to Scotch and Irish, very few for a time came to Westmoreland or Cumberland; but the vagrants soon found that they might easily resume their trade by swearing they belonged to those countries; and the expense became as large as ever. When this again was checked by making the contract for a fixed sum annually, to convey all paupers with passes by cart through the country, the number of vagrants calling themselves discharged prisoners (and therefore not subject to these regulations) began to increase, and has continued to do so progressively.' †

Feeling convinced that vagrancy will cease to be a burthen, if the relief given to vagrants is such as only the really destitute will accept; feeling convinced that this cannot be effected unless the system is general; and also convinced that no enactments to be executed by parochial officers will in all parishes be rigidly adhered to, unless under the influence of strict superintendence and control, — *We recommend that the Central Board be empowered and directed to frame and enforce regulations as to the relief to be afforded to vagrants and discharged prisoners.*"

The state of the evil remains the same as when the above observations were made; and the proper mode of remedy appears to be that suggested by them. The legislature, however, did not confer on the Central Board the proposed powers: but it is highly probable that they are reserved only until the more immediate duties of the Board are accomplished.

Such are the functions proposed to be intrusted to the Central Board. But it was not considered that its power would be sufficient to remedy all the evils of the system without organic changes in the law of relief, especially on the subject of settlement and bastardy.

It has been seen that the law of settlement originated in a necessity to confine within definite limits, a population inclined to habits of vagabondage. It was continued and modified under a widely different state of things, for the purpose of protecting persons who by marriage, apprenticeship, servitude, by hiring tenements, or by the acquisition of property, had contracted connections in places other than those where they were born, or had been originally settled, from being separated from their connections, or removed from the places where, in all probability, they were more capable of self-support, than in those with which they had lost all habitual connection.

But the facility of acquiring settlements had led to an almost universal system of mutual fraud, or at least to practices by which paupers could be shifted from one parish to another, and as a necessary consequence, endless contests ensued — this being, indeed, the foundation of more than seven tenths of the whole of that large quantity of litigation which prevailed until the recent act came into operation. The officers of each parish were tempted to give premiums with the children of their poor, to secure settlements for them in other parishes. From the same cause the men of other parishes were constantly bribed to marry the females who had large families of children, whether legitimate or not; rents and taxes were paid to enable paupers to gain settlements by those several ways; and, indeed, every species of ingenuity was resorted to, to carry on, with effect, this system of quartering on the enemy. The obvious remedy now was to make a settlement to depend on a fact which it was not in the power of parish officers to vary, or materially to affect. The Commisioners stated,

" We have seen that the liability to a change of settlement by hiring and service, apprenticeship, purchasing or renting a tenement, and estate, are productive of great inconvenience and fraud; and it does not appear that those frauds and inconveniences are compensated by any advantage whatsoever. We have seen that these heads of settlement were introduced as qualifications of an arbitrary power of removal, and then, indeed, they were necessary. If they had not been created, the parish officers would have been empowered to confine almost every man to the place of his birth. Now that power is at an end. No man can be removed until he himself, by applying for relief, gives jurisdiction to the magistrates. The slightest

* App. (A.) Part. II. Ex.

† App. (A.) Part I. 317.

evil arising from enactments, the motive for which has ceased, would be a sufficient ground for their repeal."

And they proceeded,—

"*We recommend, therefore, that settlement by hiring and service, apprenticeship, purchasing or renting a tenement, estate, paying rates, or serving an office, be abolished.*

"There will remain parentage, birth, and marriage; with respect to parentage, however, there is this difficulty: if while the modes by which a male can lose his settlement are abolished, settlement by parentage is continued unaltered, and every male child is to acquire his father's settlement, to have no means of changing it, and to transmit it, equally unchangeable to his children and his children's children, settlement will in time be reduced to a question of pedigree, and the expense of ascertaining it become intolerable. On the other hand, if settlement by parentage is totally abolished, the parents and their infant children will often be settled in different parishes.

"It appears to us that the best mode of meeting these difficulties is to continue settlement by parentage during that period of a child's life during which it is dependent on its parents, and to put an end to it at the age at which that dependence has so nearly ceased as to render their separation comparatively unimportant. This age may be said, in general, to commence at 15 or 16 years. At 15 or 16 a child can generally earn his own maintenance, and if his parents cannot maintain him, it cannot be advisable that he should continue a member of their family.

"*We recommend, therefore, that (subject to the obvious exceptions of persons born in prisons, hospitals, and workhouses) the settlement of every legitimate child born after the passing of the intended Act, follow that of the parents or surviving parent of such child, until such child shall attain the age of* 16 *years, or the death of its surviving parent; and that at the age of* 16, *or on the death of its surviving parent, such child shall be considered settled in the place in which it was born.*"

"It will be seen that we do not recommend the introduction of settlement by residence. We are aware of the advantages of that mode of settlement; it is the most natural and the most obvious, and its adoption would often prevent inconvenience to particular parishes, from the return, in age or infirmity, of those who have left them in youth and vigour, and inconvenience to the paupers themselves, from being removed from friends and residences to which they have become attached, to places in which they have become strangers.

"But these advantages, great as they are, appear to us to be overbalanced by objections still more powerful. It appears from the evidence, that the existing modes by which a settlement can be changed are productive of perjury and fraud, and that they tend to injure the employers of labour, by restricting them in the choice of their servants, — the owners of property, by distributing the labouring families according to rules not depending on the demand for their services, or the fund for their support, — and above all, the labourers themselves, by depriving them of the power of selling all that they have, their labour, to the best advantage. We fear that settlement by residence would aggravate all these evils. At present, a labourer may be steadily employed for years in a place in which he is not settled, by means of successive hirings, each hiring being for less than a year. But if settlement by residence were adopted, this would be impossible. We should have the constant occurrence of one of the worst consequences of the existing law, the separation of master and man, notwithstanding their mutual utility, and their mutual attachment, to the injury of both, but to the greater injury of the most numerous and the most helpless class — the labourers. Again, the demolition of cottages, and the forcing the agricultural population into the towns and the parishes in which property is much divided, though we fear that they must, to a certain degree, arise under any law of settlement whatever, would be much promoted by a law which would fix on a parish every labourer who should have been allowed to reside there for any given period, unless the period were so long as to render the law almost inoperative. Another objection to settlement by residence, which has been dwelt on by many of our most intelligent witnesses, arises from its effect on the unsettled labourers. At present they are confessedly superior, both in morals and in industry, to those who are settled in the parishes in which they reside. Make that residence give a settlement, and they will fall back into the general mass. With respect to the hardship on those who may be removed, we must repeat, 1st, that a person who applies to be

maintained out of the produce of the industry or frugality of others, must accept that relief on the terms which the public good requires; and, 2dly, that in the small proportion of cases in which his claim is not founded on his own indolence, or improvidence, or misconduct, the duty of rescuing him from the hardship of a removal, falls peculiarly within the province of private and uncompulsory charity; a virtue so deeply implanted by Providence in human nature, that even the existing system has rather misdirected, than destroyed, or even materially diminished it."

It will be seen that these recommendations, from some cause or another, were not followed by the lagislature; but material improvements in the legal procedure, in the effecting of removals were adopted into the act, which were not recommended by the Commissioners; and these have been productive of the most beneficial results, in checking dishonest or useless litigation.

"With respect to *the laws of Bastardy*," the Commissioners observe, "that, as a general rule, they increase the expense which they were intended to compensate, and offer temptations to the crime which they were intended to punish, and that their working is frequently accompanied by perjury and extortion, disgrace to the innocent, and reward to the shameless and unprincipled, and all the domestic misery and vice which are the necessary consequence of premature and ill-assorted marriage. *We advise, therefore, their entire abolition.*

"What we propose in their room is intended to restore things, as far as it is possible, to the state in which they would have been if no such laws had ever existed; to trust to those checks, and to those checks only, which Providence has imposed on licentiousness, under the conviction that all attempts of the legislature to increase their force, or to substitute for them artificial sanctions, have tended only to weaken or pervert them.

"First, with respect to the child.—In the natural state of things, a child, until emancipated, depends on its parents. Their legal domicile, or, as it is technically called, place of settlement, is also the settlement of their offspring. And such is the existing law with respect to legitimate children. Only one of the parents of an illegitimate child can be ascertained. *We recommend that the general rule shall be followed, as far as it is possible, and that every illegitimate child born after the passing of the act, shall, until it attain the age of* 16, *follow its mother's settlement.* The immediate effect will be to prevent a great amount of waste, suffering, and demoralisation. At present, an unmarried pregnant female, though asking for no relief, is hunted from parish to parish, her feelings deadened by exposure, and her means of supporting herself and her child destroyed; and all this evil is incurred merely to save expense to the parish in which she is resident, at the much greater expense of the parish to which she is removed. We feel confident, that if the woman were allowed to remain unmolested until she asked relief, she would, in many cases, by her own exertions, and the assistance of her friends, succeed in maintaining herself and her infant; but, as the law now stands, she has not power and inducement to do this. If she is settled in the parish in which her pregnancy took place, she has no inducement. The parish offers her a pension, generally equalling, often exceeding, her incumbranee, to be obtained without any additional disgrace. If she is unsettled, she has no power. However willing or anxious she may be to toil for her own and her child's subsistence, rather than to be dragged in shame to the scene of her youth, she is not allowed the choice. The officers know, that if the child is born in their parish, they are responsible for its support throughout life, and for the support of its posterity. The consequences which her removal will produce to the child, to the mother, and to her parish, are no concern of theirs. They remove her as a matter of course.

"Secondly, with respect to the mother. *As a further step towards the natural state of things, we recommend that the mother of an illegitimate child born after the passing of the act, be required to support it, and that any relief occasioned by the wants of the child be considered relief afforded to the parent.* This is now the law with respect to a widow; and an unmarried mother has voluntarily put herself into the situation of a widow: she has voluntarily become a mother, without procuring to herself and her child the assistance of a husband and a father. There can be no reason for giving to vice privileges which we deny to misfortune."

The Commissioners further recommended "*that the same liability should be extended to the husband*," showing that "the general law of the country throws on

the husband all his wife's liabilities; he is bound to pay her debts, he is answerable for her engagements, even though he may not have been aware of them, though they may have been carefully concealed from him; and there seems no reason why this peculiar liability, a liability which must almost always be notorious to him, should be excepted. We certainly consider it no objection that this will make it more difficult for a woman who has misconducted herself to obtain a husband: and we must add, that if this plan be not adopted, it will be difficult to follow out the system of giving no relief to the child independently of the mother, and of giving that relief in the workhouse."

On the other hand, the Commissioners recommended, "*the repeal of that part of the* 35 Geo. 3. cap. 101 § 6. *which makes an unmarried pregnant woman removable, and the* 50 Geo. 3. cap. 51. § 2. *which authorises the committal of the mother of a chargeable bastard to the House of Correction.*"

It is further recommended that as regards the supposed fathers of bastards "*the second section of the* 18 Eliz. cap. 3. *and all other acts which punish or charge the putative father of a bastard, shall, as to all bastards born after the passing of the intended act, be repealed.*"

On this branch of the subject the Commissioners observe, that, "In affirming the inefficiency of human legislation to enforce the restraints placed on licentiousness by Providence, we have implied our belief, that all punishment of the supposed father is useless: we believe that it is worse than useless. Without considering the numerous cases in which that punishment falls upon the innocent, without dwelling upon the perjury by which that injustice is accomplished, we will confine ourselves to the effect produced on the woman's mind by her power of calling for that punishment. That power is the security to which the woman looks at present; she expects that the parish will *right her*. If she is ill disposed, this adds to the force of her temptation; if she is well disposed, this removes the prop which should support her self-control. Marriage will always be preferred by the woman if she can attain it, and she ought not to be placed in circumstances in which marriage shall be most easily attainable by previous concession.

"'One day,' says a witness examined by Mr. Chadwick, 'I went into the house of one of the people who work at the chalk quarries at Northfleet, to buy fossils, and a young woman came in for a few minutes whose appearance clearly showed approach to maternity. When she went out, I said to the woman of the house, 'Poor girl, she has been unfortunate.' She replied, 'Indeed she has, poor girl, and a virtuous, good girl she is too. The fellow has betrayed her, and gone to sea.' I said, 'She should not have trusted him till she had been at church.' To this observation the woman replied, and let me observe *her own children were all about her*, 'What could she do, poor girl? if she did not do as other girls do, she would never get a husband. Girls are often deceived, and how can they help it?'*"

* * * "Cases will no doubt occur of much hardship and cruelty, and it will often be regretted that these are not punishable, at least by fine upon the offender. But the object of law is not to punish, but to prevent: and if the existing law does not prevent, as is too clear, it must not be maintained against its proper design, with a view to punishment, still less must it be maintained if it acts as an incentive. It must be remembered, too, that we do not propose to deprive either the woman or her parents of their direct means of redress: she may still bring her action for breach of promise of marriage, and her parents may still bring theirs for the loss of their daughter's service."

The principle of these recommendations with regard to bastardy was adopted, with the exception of the part which relates to the father; who by the new act is rendered liable to reimburse the parish for expenses incurred in maintaining the child; but this is effected under restrictions which appear likely to prevent most of the evils incidental to the old law.

The remaining recommendations were merely accessory to the main objects of the bill. The chief of these was prompted by a belief that a surplus population, for which no sufficient employment could be provided, might be found, in some parishes at least, if not in large districts. The Commissioners recommended, "*that the*

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* App. (A.) Part II.

vestry of each parish be empowered to order the payment out of the rates raised for the relief of the poor, or the expenses of the emigration of any persons having settlements within such parish, who may be willing to emigrate; provided, that the expense of each emigration be raised and paid, within a period to be mentioned in the act."

And this recommendation was adopted; but it has been acted on only to the smallest possible extent, the necessity for this remedy not having in any case been felt where the other remedies provided by the bill have been brought into operation.

The Act founded upon these recommendations received the King's assent on the 14th of August, 1834, having been passed in both Houses of Parliament with extraordinary unanimity, notwithstanding much violent opposition out of doors, and some vehement resistance on the part of a few members of the House of Commons. It now forms the most salient portion of the whole of the law relating to the relief of the poor, although it consists, for the most part, of modifications of portions of old provisions, which still retain their station in the body of the existing law.

Some statutes of minor importance as affecting the relief of the poor, have been passed in the sessions of 1835 and 1836; but they do not need a particular description, being confined to merely technical detail.

It remains to be seen what rights are conferred, and obligations imposed, by the whole bulk of the laws as they exist at the present moment.

The present System of English Poor Laws.

The accumulated effect of the English Poor Laws is, that no person in England or Wales shall be absolutely destitute of the necessary means of subsistence.

This principle is accessary to another principle peculiar to the police of England; for destitution being provided against is not, as in other systems of jurisprudence, professedly admitted as an extenuation of the guilt of violating the rights of property. In England it is a crime to beg, or gather private alms, or to procure or encourage any child to do so; punishable the first time, with one month's imprisonment in the house of correction; and on the second conviction, with like imprisonment with hard labour for three months; the third time for a year. (5 Geo. 4. cap. 83. §§ 3, 4, 5. 10.) It is clear, however, that the plea of destitution can only be safely rejected where, as in England, the property of the community is, while any assessable property remains, made liable to contribute to the subsistence of all its members.

But to prevent unfounded claims upon the fund intended only for the really destitute, and to diminish the inducement which the existence of that fund affords to indolence and voluntary destitution, as well as to apportion the relief according to the actual necessities of its objects, it has been found necessary to subject the several classes of persons requiring and receiving relief to different regulations. The nature of the Poor Laws will best be seen in the description of the regulations applicable to each class of persons recognised by law as being entitled to relief. These are chiefly,

1. The impotent poor, —
   through old age,
   or bodily infirmity;
   through infancy;
   through accident;
   Lunatics.
2. The able-bodied poor.

The characteristic of the Poor Laws as a security for relief in cases of destitution, is distinguishable chiefly in the provisions affecting the class of impotent poor; while the remains of their original character as a law of police for the repression of idleness, mendicity, and vagrancy, are chiefly discernible in those affecting the second class of able-bodied poor.

With respect to the *impotent through old age or bodily infirmity*, the 43 Elizabeth, cap. 2. § 1. provides, that "Competent sums of money for and towards the *necessary* "*relief* of the lame, impotent, old, blind, and such other among them being poor "and not able to work, shall be gathered out of the parish, according to its ability."

The prudent character of this enactment is shown in its limitation to *necessary relief* even in the case of the most legitimate objects of relief, while it at the same time benevolently assures to them all that can be secured to such as cannot help them-

selves, without relaxing to a dangerous extent the restraint on improvidence in health or early life.

The statute does not provide with respect to this class as it does with regard to others, that it shall be set to work — relief without work is thus secured to those alone, because they are "*poor and not able to work.*" The preceding history of the Poor Laws shews how the relief without work was improvidently extended to those who were able to work.

As work is thus dispensed with in favour of the impotent class, the workhouse, (or place in which those who are able to work are intended to be set to labour,) is not in the same degree applicable to them as to others. Accordingly the 4 & 5 Will. 4. (which will be henceforth distinguished as "The Poor Law Amendment Act") exempts by the 27th section "any adult person who shall from old age or infirmity of body be wholly unable to work," from the condition of receiving relief in the workhouse of Unions formed under that act.*

Those who are unable to support themselves *through infancy* are generally in a condition to which different reasons apply; they are of two classes,—the first consisting of those who, having some bodily infirmity, are therefore unable or only partially able to work; and the second, of those who being free from other infirmity than such as arises from their youth, simply may be expected one day to become by their own exertions independent of relief.

The first class, when destitute of friends, or of private means of subsistence, are subject, in the main, to the same considerations as those who are impotent through extreme age, and are entitled to be relieved in the same manner, and under the same enactments; and even the parents of such children as are blind, deaf, or dumb, are exempted by the Poor Law Amendment Act from the liabilities which attach to the parents of other children relieved by the parish.

With respect to the second class, who may be expected one day to become independent of relief, it is for the obvious interest of society that motives should be given to them, and the means supplied by which that result may be most effectually obtained.

The statute of the 43d Elizabeth, cap. 2., provides in the 1st section "*for setting to* "*work* the children of all such whose parents shall not by the said churchwardens and "overseers, or the greater part of them, be thought able to keep and maintain their "children;" and the same statute afterwards provides for the raising "competent "sums of money * * * for the putting out of such children to be apprentices." This statute thus supplies an adequate motive to such children to endeavour, as soon as they are able, to exercise independent industry, it being certain that if labour proportioned to their abilities is exacted of them by the parish, they will be strongly prompted to exercise their abilities for their own advantage whenever their labour appears to be sufficiently valuable to procure them an independent maintenance. And to render such motives more effectual, the statute adopts the most obvious means of conferring on the child the requisite skill and ability for the obtaining a future maintenance, by providing for their apprenticeship.

The statute further provided, (§ 5.) that they might be bound apprentices "till such man child shall come to the age of 24 years, and such woman child to the age of 21 years, or the time of her marriage." Such a term of apprenticeship was obviously at variance with the policy of the statute; being longer than would be sufficient to confer on the apprentice ability for self-support, and thus operating to destroy his social value, by keeping him in a prolonged bondage, long after the period when he might otherwise have commenced a career of independent industry. The 18 Geo. 3. c. 47. therefore enacted that a "man child shall be bound to be an apprentice for no

* A remarkable exemplification of the utter want of sound principle in the enactments contained in Gilbert's Act is afforded by the provisions relating to the admission of inmates into the workhouses established under that act. It enacts that "*no person shall be sent to such poor-houses except such as* are become indigent by old age, sickness, or infirmities, and *are unable to acquire a maintenance by their labour.*"—§ 29. And a subsequent section, the 32d, prohibits the sending of the able-bodied there.

longer time than till such child shall attaim the age of 21 years;" and to prevent another inconvenience arising from the indefiniteness of the terms of the statute of Elizabeth, which had allowed of children of the most tender years being bound to an intolerable length of servitude, the 56 Geo. 3. cap. 139. § 7. enacted that no child should be bound as a parish apprentice until it had attained the age of 9 years.

These enactments had obviously given the overseers opportunities to serve themselves and friends by apportioning out poor children to an uncompensated servitude; and as every parishioner was bound to take the children allotted to him, it often subjected parishioners to oppression, by having apprentices, for whose services they had no need, forced upon them. It also allowed to the overseers an opportunity of exercising their vindictiveness towards any young person dependent on the parish, by allotting him to many years' servitude to a harsh master. The statute had divided the discretion of binding apprentices between the overseers and the justices of the peace, but by the supineness of the latter the whole of the above-mentioned evils had become of ordinary occurrence. The legislature attempted a remedy by providing a great number of restrictions as to the persons to whom — the places at which apprentices should be bound — the mode and circumstances of the binding, &c., and by placing nearly the whole discretion in the justices, whose vigilance it attempted to secure by making the proceedings in the whole of the details of execution depend upon them. These enactments are too multifarious and minute to describe here, although it is necessary to mention them, as they constitute an epoch in the legislation affecting pauper children, whom they effectively protected against the continuance of a cruel oppression. The chief of these enactments are contained in the 20 Geo. 2. cap. 19., and especially the statute before cited, the 50 Geo. 3. cap. 139.

The principle upon which children are to be relieved is thus seen to be this: — that they are to have necessary relief; and that those able to work are to be set to work under the superintendence of the parish officers, or to be bound apprentices.

This principle is subject to no variation, whether the children be legitimate or bastard. But by a perversion of the law relating to bastardy, a practice has prevailed for two centuries, and which during the first quarter of the present century had increased to an almost incredible extent, of relieving bastard children and their mothers in such a manner as to render their situation incomparably better than that of lawfully begotten children and their parents.

The law, previous to the Poor Law Amendment Act, was wholly silent as to the manner in which relief should be administered to bastards. But the 18 Elizabeth, cap. 3. § 2., provided that when "bastards were *left to be kept* at the charges of the parish where they were born," the justices of the peace should "make order as well for *the punishment of the mother and reputed father* of such bastard child, as for *the better relief of such parish* in part or in all;" and shall "take order for the *keeping of every such bastard child by charging such mother* or reputed father with the payment of money weekly, or other sustentation for the relief of such child;" and provides further for the punishment of such mother and father, in case they neglect or disobey the order of justices.

It will be seen, 1st, that the statute does not provide for the relief of the bastard, it being merely assumed that the child is kept at the charges of the parish. 2dly, That it is for the "better relief of the *parish* in part or in all," that the justices are to take order. 3dly, That it is the mother in the first place, or the reputed father in the alternative, who is to be charged with the payment of money or the provision of other sustentation for the child.

By one of the most remarkable perversions to which a law has ever been subjected, these provisions were converted into a means of securing to the mothers of bastards advantages to which the mothers of legitimate children were never suffered to have a claim. The practice almost universally prevalent before the Poor Law Amendment Act came into operation, was to make an order on the father for the indemnity, not of the parish, but of the mother, who was supposed to have a right to affiliate the child (that is, to charge the father) whether she or the child required parochial relief or not. The order was supposed to confer on the mother a claim on the parish to the amount which the father was directed to pay; and in case he failed to comply with the order, the supposed liability of the parish was invariably

enforced in favour of the mother. The law, which was made for the punishment of the parents, was thus converted into a reward to the mother and a punishment to the parish. This punishment was often very severe when an order had been made on the father, in consideration of his greater opulence, or of some peculiar misconduct on his part, to pay a larger amount than usual, and the parish was eventually compelled by the magistrates to answer for his default.

The Poor Law Amendment Act has done little more than revive the true spirit of the statute of Elizabeth by providing (by § 72.), 1st, That no application for an order on the father should be made until the child had become actually chargeable to the parish. 2dly, That the father shall pay no more than is actually necessary to repay to the parish the costs of the sustentation of the child. 3dly, That no money paid by the father shall at any time be paid to the mother of the bastard; and 4thly (by § 71.), by rendering the mother, in the same manner as a widow is, liable to maintain her child until the age of 16, and declaring that all relief to the bastard while under that age shall be considered as given to the mother: as a compliment to this latter provision, a man marrying after the passing of the act a woman with bastard children, is rendered liable (by § 57.) to maintain them, on the same principle that he is, by marriage, subjected to her other civil liabilities.

These enactments relate more to the liabilities of parents of bastard children than to the manner in which the latter are to be relieved; and the observations on this branch of the law would here be out of place, if it were not necessary to show that the practice of affording a peculiar money relief to bastard children was unauthorised by either the present or ancient law.

The law of Elizabeth, in providing that children should be set to work, or bound out apprentice, had so far secured a material part of their education; and education in a wider sense has since been looked upon as an essential, as it is a peculiarly appropriate, part of the relief of children. The Poor Law Amendment Act casts in a special manner on the Commissioners appointed under its provisions the duty of directing the education of children in workhouses. The 7th Geo. 3. c. 39. regulates the relief of children received into the workhouses of the 17 parishes within the walls of the City of London, and the 23 parishes in Middlesex and Surrey, being within the bills of mortality and the liberty of the Tower, and the 10 parishes of the City of Westminster. It provides that those under the age of six years shall be sent into the country, to be nursed and maintained, at a distance of not less than three miles from any part of the cities of London and Westminster; those under two years, not suckled by their mothers, not less than five miles; and those above two, and under six, not less than three miles off. The same statute contains many subsidiary provisions for the protection of such children, and for the registration of all the particulars concerning them.

Those who are *impotent through accident*, or *through sudden and dangerous illness*, are widely distinguished from those who are impotent through decay of strength, or through congenital or permanent bodily defect.

Those who become objects of parochial relief through bodily accident have been denominated "casual poor," and are entitled to be relieved wheresoever the accident occurs, or wheresoever they are found while in a state of impotence arising from it, and no steps can be taken during the continuance of such impotence, either for their present or eventual removal. A surgeon or apothecary was entitled to receive the costs of attending and supplying medicine to such persons, if the overseer did not provide medical relief when he knew of the facts of the case, and he was indictable for refusing such relief; and this is still the law in parishes governed by overseers, under the statute of Elizabeth.

The Poor Law Amendment Act (§ 54.), which deprives overseers, where select vestries or board of guardians exist, of their general authority in the giving relief, still subjects them to the obligation of giving such temporary relief as may be required in cases of sudden and urgent necessity, whether the necessitous person be settled in their parish or not, and to penalties, in case they refuse to do so when ordered by a justice of the peace.

To *insane persons and idiots* a peculiar class of enactments apply. The workhouse, of which the most appropriate use is to keep those employed who are able to work, is evidently inapplicable to this unfortunate class, who are not voluntary paupers, and whose necessities require a wholly different moral and physical treat-

ment to that which the law provides for other destitute persons. Peculiar public institutions have been established in most counties of England and Wales for the reception and treatment of this class; and overseers are compelled to make yearly returns to the justices of the peace of all insane persons chargeable to the parish, and the justices may cause any such person to be sent to the lunatic asylum of the county; or, if there be none in the county, then to some public hospital or duly licensed house for the reception of insane persons, and may direct the parish in which the insane person is settled to pay all reasonable charges. All these plans of reception are placed under the peculiar control and inspection of officers appointed for the purpose under two acts of parliament (the 9 Geo. 4. c. 40., and the 9 Geo. 4. c. 41.), to which reference is made for the detailed provisions relating to this class of destitute poor. The Poor Law Amendment Act no further affects these enactments than inasmuch as it provides (§ 44.) that no dangerous lunatic, insane person, or idiot, shall be detained in any workhouse for any longer period than 14 days.

Such are the classes of *impotent poor*, with respect to which the law has made peculiar provisions; all of which indicate a never-failing solicitude in the legislature for the alleviation of the misfortunes of such as are destitute through causes not removeable by the exertions of the individual. This solicitude, it may be contended, is less prudently exemplified in these provisions than it would have been had they held out more inducements to those who are in the enjoyment of health and strength to provide against the casualties of life and its decline. Still it abundantly supports the observation, that in this portion of the Poor Laws the humanity which applies itself to the alleviation of misery (if not to its prevention) is emphatically displayed, in contradistinction to those provisions which regard the able-bodied poor, and which have the larger and more political objects in view, of securing society as well as the individual from the consequences which invariably attend the indulgence of habits of indolence and improvidence. In the provisions now to be described the character of the Poor Laws as a branch of police are chiefly to be seen.

The severe penal enactments formerly made against *the able-bodied* who followed no course of industry have been partly described in the preceding history of the Poor Laws. Other statutes, supposed to be for the encouragement of industry, abounded in our early legislation. The most remarkable of these is that of the 5 Eliz. cap. 4., which provides that every person between the age of 12 and 60 years, not engaged in certain specified courses of industry, nor having means of self-support, should be compelled to be retained to serve in husbandry by the year with any person that keepeth industry, and will require any such person to serve within the shire where he shall be so required (§ 7.). This statute contains also many penal clauses against such as desert their work: but a more complete description of its provisions is unnecessary; for, although it remains for the most part unrepealed, its provisions have fallen into disuetude.

It has been seen that mendicity has, from the earliest period of our legislation to the present time, been a punishable offence, by whomsoever committed. Complementary to these provisions are those of the statute of the 43d Eliz. and the other poor law statutes, which, when private employment or the industry of the labourer fails, supersede the necessity for begging by establishing a public fund for the setting of the poor to work.

The special enactments of this statute, for employing and apprenticing children able to work, have been described. It also provides generally that "there shall be raised weekly, or otherwise, a convenient stock of flax, hemp, wool, thread, iron, and other necessary ware and stuff, *to set the poor on work.*" This is the only provision made by the statute for the relief of the able-bodied poor; and it clearly authorises only such relief as is implied in *setting them to work*, that is, support during their occupation; and there is no authority in existing statutes for giving relief independent of work. Nevertheless it became the rule to give relief, and not work; and the exceptions were exceedingly rare, before the passing of the Poor Law Amendment Act, in which work was proffered; while, on the other hand, the liberality of the statute towards the aged and helpless, who were to have *necessary relief*, "not money," was exceeded in favour if the able-bodied, who were almost invariably relieved in money, to be spent at their own discretion. The evils of such a system, in tending to encourage idleness, soon became apparent; and new facilities were

provided for "setting the able-bodied to work," by enabling parishes to procure workhouses, and depriving those who refused to be maintained therein of all right other relief. (See 9 Geo. 1. cap. 7.)

The abuses prevalent during two centuries in this branch of the Poor Laws are notorious, as are the ineffectual attempts to remedy them. It was never admitted, nor contended for, that the able-bodied could be lawfully relieved except in return for work; but the abuse was in most cases submitted to as irremediable, and the further abuse was superadded of paying money, not to those only who were out of work, but to those who were engaged in private employments: thus enlisting on the side of the abuse the whole of those employers of labour who could by means of it compel the parish to bear a portion of the expense of their labourers' subsistence.*

The Poor Law Amendment Act has at length constructively made the abuse lawful in authorising its indefinite continuance, at the same time providing for its gradual extirpation.

By § 52. it is recited, that "Whereas a practice has obtained of giving relief to persons or their families who at the time of applying for or receiving such relief were wholly or partially in the employ of individuals, and the relief to the able-bodied and their families is in many places administered in modes productive of evil in other respects; and whereas difficulty may arise in case any immediate and universal remedy be attempted," and powers are then given to the commissioners to be appointed, under the act to make regulations declaring to what extent, and for what period, the relief to be given to able-bodied persons or their families in any particular parish or union may be administered out of the workhouse, by payments in money, or with food or clothing in kind, or partly in kind and partly in money; and what proportions, to what persons or class of persons, at what times and places, on what conditions, and in what manner such out-door relief may be afforded. All relief given contrary to such regulations is declared illegal, and is to be disallowed in the accounts of persons giving it. Exceptions are, however, made for cases where special and unforeseen circumstances may render the immediate operation of the regulations inconvenient or dangerous.

By the same statute effective means are placed at the disposal of the commissioners for the government of workhouses (the instruments chiefly relied on for the extirpation of this branch of pauperism) for the regulation of the nature and amount of relief to be given in them, the labour to be exacted of the inmates, and for the preservation of good internal order in them. (*Passim*, but see especially §§ 15. 22. 43. 45. 91. 92.)

These provisions for hindering the condition of the able-bodied pauper from being raised so greatly above that of the independent labourer as it has been rendered by the practice of affording him relief without exacting exertion on his part in return, might perhaps be relied on as sufficient, when vigilantly and systematically applied, to deter him from a life of pauperism, which would be thus rendered as toilsome as one of independence, and subject to more constraint, being at the same time productive of less reward in the shape of material necessaries. But they would have been ineffective for the suppression of a practice which had prevailed most extensively, where the able-bodied man himself did not apply for relief, — a practice of requiring and receiving relief for children; the relief usually being regulated by a scale, commencing at a certain number of children, and increasing with the size of the family. This relief, proportioned to the size of a family, had made in many counties a widow with a family of children sought after as a desirable match; and a single woman, with a family of affiliated bastards, was considered as even more happily endowed. The direct operation of this practice was to put the man with a family in a position of great relative advantage over the single man; and its indirect effect was the same, as it offered an inducement to all rate-payers to employ in preference men with families, in order to keep them from the rates, and to discard the single man of superior qualifications as a workman. Both operations presented motives to the single man to procure himself a wife, and, when it was to be had, a ready-made family.

* For a complete detail of the evils of the allowance system, see *the Report of the Commissioners of Inquiry*, 1834.

The Poor Law Amendment Act attempts to prevent the recurrence of such, practice by rendering the parents liable for all relief to their dependent children, as if the relief was administered to the parents themselves; who are thus subjected to the workhouse discipline, and to the repayment of the cost of relief, equally in cases of relief to themselves or to any part of their families (§ 56.). With the further intention of completely extirpating for the future both branches of the evil, relief to a bastard born since the passing of the act is made, in law, relief to the mother herself, in contradiction to the ancient maxim that a bastard is *nullius filius*; and a man marrying after the passing of this act is liable to support all the children, legitimate or illegitimate, which his wife may have at the marriage, until her death, or until the children attain the age of 16.

This provision differs from that of the 43 Eliz. c. 2. §. 7., by which the father and grandfather, mother and grandmother, are bound to relieve and maintain their children and grandchildren; and children are bound to maintain their poor, old, blind, lame, and impotent parents, according to a rate to be assessed by the justices. Instead of waiting for the order of justices, the new law makes the party, to whom it applies, at once liable as a pauper for all relief administered to such of his family as he is bound to support.

It will be at once seen that these enactments respecting the able-bodied have only one common character with those relating to the impotent poor, namely, that of depriving poor persons of the pretext which a state of absolute destitution would afford for mendicancy and deprivation, by affording to all a necessary maintenance; but in all the minor details, the enactments regarding the able-bodied are strongly characterized by the number of restrictions calculated to repel the applicant.

Administrative Machinery. — This is the outline of the existing law of relief: the means and instruments of its administration have by experience been found to be even of more importance than the very principles of the law itself; the most valuable principles having, by a bad structure of the administration, been utterly unproductive of any visible good; while the bad have been, by the same cause, imprudently suffered to have for a long course of time their full effect without a check or effort at counteraction.

The administrative organisation, as it at present exists, will be found to be unsystematic and clumsy to the highest degree; having not been adopted according to the obvious exigencies of the principles of the law, but being the result of an attempt to apply to them institutions existing, and used for totally different purposes, and in themselves, as far as their own special uses were concerned, of wholly fortuitous origin.

Parochial Administration. — The 43 Eliz. c. 2. enacts that the churchwardens of every parish, and four, three, or two substantial householders there, as shall be thought meet, having respect to the proportion and greatness of the said parish, to be nominated yearly in Easter week, or within one month after Easter, under the hand and seal of two or more justices of the peace of the county, shall be called *Overseers of the Poor.*

It undoubtedly seemed an easy course for the legislature to adopt an existing division, such as the ecclesiastical division of parishes, and to avail itself of an existing officer, such as the churchwarden. But all the succeeding legislation shows this to have been a fundamental error.

A parish is defined by Blackstone (*Com.* I. p. 111.) to be "that circuit of ground in which the souls under the care of one parson or vicar do inhabit;" he states that they were computed to be near 10,000 in number, and he thus describes their origin: — "It seems pretty clear and certain that the boundaries of parishes were originally ascertained by those of a manor or manors: since it very seldom happens that a manor extends itself over more parishes than one, though there are often many manors in one parish. The lords, as Christianity spread itself, began to build churches upon their own demesnes, or wastes, to accommodate their tenants in one or two adjoining lordships; and in order to have divine service regularly performed therein, obliged all their tenants to appropriate their tithes to the maintenance of one officiating minister, instead of leaving them at liberty to distribute them among the clergy of the diocese in general; and this tract of land, the tithes whereof were so appropriated, formed a distinct parish; which will very well account for the frequent intermixture of parishes one with the other. For if a lord had a parcel of

land detached from the main of his estate, but not sufficient to form a parish of itself, it was natural for him to endow his newly erected church with the tithes of these disjointed lands; especially if no church was then in any lordship adjoining to those outlying parcels.

"Thus parishes were gradually formed, and parish churches endowed with the tithes that arose within the circuit assigned. But some lands, either because they were in the hands of some irreligious and careless owners, or were situate in forests and desert places, or for other now unsearchable reasons, were never united to any parish, and therefore continue to this day extra-parochial."— *Ibid.* 112, 113.

An origin so little connected with any general design might have been expected to produce a result such as has been the case with parishes. The population returns of the year 1831, when the numbers of the people had been for two centuries and a quarter, since the enactment of the statute of Elizabeth, progressively increasing, still give, out of 15,535 parishes and places in England and Wales separately maintaining their poor, 56 where the whole population, males and females, and of all ages, is under 10 in number; 148 places where it it is from 10 to 20; 533 where it is from 20 to 50; 1,170 where it is from 50 to 100; and 4,774 where it is from 100 to 300.

The consequences are obvious, — that to procure a yearly succession of capable officers in such places is impossible; and that the means of systematic administration are utterly wanting, as regards the possession of the material instruments — the stock to set the poor to work, the workhouses, &c.; while, on the other hand, the waste of labour is immense, every operation having to be performed in the like manner for a small as for a large district.

The evil was further added to by the 13 and 14 Car. 2. c. 12. § 21., by which the several townships comprised in the large parishes of the north are each empowered separately to administer the laws for relief of the poor. This statute also includes in the operation of those laws all places at the time of its passing known as vills or hamlets. The number of places in England and Wales was thus increased from about 10,000, the number of the parishes, to between 15,000 and 16,000.

The office of overseer is compulsory; that is, it cannot be refused without subjecting the party to an indictment for a misdemeanor; and the officer is entitled to no compensation for his time or services. The effect might be expected: the churchwarden, though the primary overseer, soon confined his attention to the mere business of his original office; leaving his special duties as overseer to be performed by those elected specially for the purpose.

The overseers were thus left to perform the whole of the duty of administering the law, with a divided responsibility. In the smaller places, the law was, in the majority of cases, either suffered to work out all its evils, without its salutary provisions being called into operation, or an officious and unauthorised diversion of its provisions from their purposes was effected; and, indeed, in all cases these extremes followed in succession, according to the varying character of the successive officers. On the other hand, in the larger parishes it was soon found that the duties were too onerous for a gratuitous officer, appointed almost by chance, and changed annually, to perform; while the interests of the parish were too momentous to be entrusted to his charge. But the evil of entrusting such affairs to an annual, fortuitously appointed, gratuitous, and therefore almost irresponsible, officer, was not attempted to be remedied, in parishes governed only by overseers, till the 59 Geo. 3. c. 12. § 7. (Sturges Bourne's Act) enabled the inhabitants to nominate, and the justices to appoint, a paid officer, under the name of *assistant overseer*, who holds his appointment until it is expressly revoked, and has such of the functions of an overseer as may be specified in his appointment.

The vestry consists of the inhabitants of a parish, assembled (usually in the room in the church where the minister's ceremonial dress is kept, thence called *vestry*) to deliberate on the affairs of the parish. The persons assembled at a general vestry are not officers, therefore, but are the persons immediately interested in the administration of affairs by the officers. General vestries had, under the statute of Elizabeth, no important functions to perform in the administratration of relief, or the making of rates; but by some succeeding statutes they were recognised as having concurrent authority with the overseers in the ordering of relief. The 3 & 4 Wil-

liam & Mary, c. 11. § 11. requires the parishioners to meet in vestry, or other usual place of meeting, to make a list of such persons as they shall think fit and allow to receive collections; and the 9 Geo. I. c. 7. implicitly confirms to them this share of power, with the overseers, in the allowance of relief.

But this vestry, not consisting of determinate or responsible persons, assembled and acted very irregularly; and the meetings usually consisted of those persons merely who had an individual (as opposed to a common) interest in the subject to be determined upon. When no such object was to be obtained, no meeting was likely to be held; or if any was held it consisted of those who, by an assiduous attendance, might get the whole government of a parish, as it were by prescription, into their hands, upon the plea of greater parochial experience.

In populous parishes a very great number of *select vestries* were early appointed, sometimes as a committee entrusted exclusively, by consent of a general vestry, with the protection of the interests of the parish: these were said to exist by *custom;* and frequently arrogated, in course of time, the power of appointing to vacancies in their own body, and then became known as *self-elected vestries.* Others were appointed, chiefly in town and city parishes, under local acts of parliament, and of these the constitution was extremely various. At length the 59 Geo. 3. cap. 12. (Sturges Bourne's Act) enacts general provisions for the annual election of select vestries by the inhabitants assembled in general vestry, and for the conduct of such select vestries.

The most common character of these select vestries is, that they supersede the overseers in so much of their functions as are of a discretionary nature, such as the determination of the kind and quantity of relief, and the objects to whom it should be granted; while the merely ministerial duties, such as the making of the rate, the collecting of it, and the accounting for it, are still left to the overseers.

The only attempt to introduce a control in any degree wider, and likely to be more systematic and intelligent, than that of the parochial officers, was the giving a certain administrative as well as judicial authority to the *justices of the peace* individually, not acting in petty sessions, having jurisdiction over the district in which the parish lay. The statute of Elizabeth gives them authority to appoint the overseers, whom it directs "from time to time, *by and with the consent of two justices of the peace,* to take order for" the performance of all the essential duties imposed by the statute; viz. the making the rate, the setting the children and others to work, apprenticing the former, and administering necessary relief to the impotent poor. Two justices are to inspect the overseers' accounts, and to empower the levying of the money assessed; while the justices at quarter sessions are to make sundry general regulations, and are to receive and adjudicate on appeals against the rate.

The 22 Geo. 3. c. 93., and the Poor Law Amendment Act, provide for the placing single parishes under the control of *boards of guardians;* but, as the constitution of such boards is chiefly designed for the government of combinations or unions of parishes, no material differences exist in the functions of the guardians, whether appointed for single parishes or unions. Their constitution is treated of under the next head.

District Administration. — The first attempt made by a general statute to counteract some of the evils attendant on the extreme minuteness of parishes, townships, and vills, was by the 9 Geo. 1. c. 7.; the statute in which the use of workhouses was first recognised, and adequate provisions made for the acquisition of them by parishes. It enacts (§ 4.), that "where any parish, town, or township shall be too small to purchase or have such a house for the poor of their own parish only, it shall be *lawful for two or more parishes,*" &c. (with consent of parishioners and vestry, and of a justice of the peace) "*to unite* in purchasing, hiring, or taking such house for the lodging, keeping, and maintaining the poor of the several parishes," &c. And it is further provided that *one parish may contract with another* to maintain its poor in such a house.

But many charters and local acts were in force in William III.'s reign, and some as early as that of Charles II., by which several parishes, especially in cities and corporate towns, were united, and certain officers (generally called guardians, wardens, or directors), with a head (usually called a governor), incorporated for the management of the poor. Such local acts became very nu-

merous during the succeeding reigns, and began to be applied for in districts almost exclusively rural. At length a general act (the 22 Geo. 3. c. 83.), known as Gilbert's Act, enabled any two or more parishes to unite, whenever two thirds in number and value of the owners and occupiers of lands, tenements, and hereditaments within such parishes should signify, in the manner prescribed, their approbation of the provisions of the act; the consent of two justices being had to the union. Upon the union being effected, the justices of the peace may appoint annually, from persons nominated by the owners and occupiers, a guardian for each parish. It was a vice in the constitution of the Gilbert's Act unions, from which that of many of the incorporations governed under local acts were free, that the guardians elected by each parish had the control, without the concurrence of the other guardians of the union, of all the out-door relief administered to its paupers. The benefit of an uniform system was thus wholly sacrificed, and the individual caprice of the guardians, less subject to control than that of the overseers, was only substituted for it.

The guardians under Gilbert's Act are paid officers; not that there is any direct authority for their payment in the body of the act, but the form of agreement given in the schedule of the act for several parishes to unite contains a provision for an annual salary to the guardian.

The guardians wholly supersede the overseers and vestry "in the care and management of the poor," but the churchwardens and overseers are "to continue to have and be invested with the same powers of making and collecting poor's rates, and shall be subject to the like penalties for neglect or misbehaviour in making and collecting such rates as they were at the time of passing the act." (§ 7.)

An attempt was made to secure uniformity in the administration of the several parishes united under this act, by authorising (§ 10.) the guardians to nominate, and the justices to appoint, a *Visitor*, a general officer, having power "to superintend the workhouses of the union; to settle and adjust the accounts of the guardians, and of the treasurer, in case of dispute; and also to settle and adjust all doubts arising concerning the persons who ought to be sent to the workhouse, and, by every prudent means in his power, to enforce the regulations and provisions formed under the act for the better accommodation and relief of the poor, and the preventing all unnecessary expenses and burdens on the united parishes," &c. These powers, expressed with such generality, might have been considered to extend to the regulation of relief out of the workhouse; but the universal practice in these unions is to leave to the guardians of each parish an undisputed authority in this, which is the most dangerous portion of the administration, and that therefore which requires the most systematic and uniform control. As an inducement for the acceptance of the office, the Visitor is discharged from the service of the office of constable, and all parochial offices, and from serving on juries at assizes or quarter sessions.

This act gives many facilities for procuring workhouses, and makes many peculiar provisions for the relief of the poor, two of which have been already adverted to in the preceding history of the Poor Laws; namely, that in the 29th section, by which none but impotent adults and orphan children can be sent to the workhouse (which by this act is called a poorhouse); a provision utterly at variance with the intention and effect of all other general statutes relating to workhouses; and that in the 32d, by which the guardian is compelled, under penalties, to find for any person professing to be able and willing to work "employment *suited to his or her strength or capacity, near the place of his or her residence; and to cause such person to be properly maintained, lodged, and provided for until such employment be procured, and during the time of such work;* and *to receive the money to be earned by such work, and apply it in such maintenance, as far as the same will go, and make up the deficiency, if any.*" Such a monstrous provision, dispensing with all necessity of exertion on the part of the able-bodied, could not fail of producing, as it has in all those unions where its existence is known to the labourers, a perfect indifference, or rather repugnance, to regular employment.

As these unions are not likely to remain much longer in existence, it is not necessary further to describe the provisions of the act under the regulations of which their concerns are administered.

It was not by experience of the success of the unions joined under Gilbert's Act that the adoption by the Poor Law Amendment Act of the system of district or

union management was justified: on the contrary, the operation of Gilbert's Act in the unions formed under it had in no way proved better than that of the act of Elizabeth in the hands of overseers; and in many cases, and in many respects, worse. The Poor Law Amendment Act, in fact, revives the policy of the 9 Geo. 1. c. 7. in a more systematic manner; that policy being, to enable several parishes, by combination, to obtain the instruments of good government, which singly they could not afford.

The Poor Law Amendment Act, however, extends this principle of the 9 Geo. 1. beyond the mere object of facilitating the acquisition of a workhouse, to the obtaining of efficient officers, and to the transaction of many other affairs; such, for instance, as the making of contracts on a larger, and therefore more beneficial, scale than can be done by single parishes. It also contemplates the attainment of an object as foreign to that of Gilbert's Act as is that of obtaining an efficient workhouse; namely, the rendering of the system of relief, whether given in or out of a workhouse, uniform over large districts; and, by collecting in one board the interests, the information, and energy of the guardians of several parishes, the securing the adequate motives and means for the discovery, adoption, and permanent retention of all attainable improvements in administration; which, when occasionally effected, in single parishes, have been in almost every instance abandoned when the single individual, to whose talent or energy they were owing, ceased from any cause to take a part, or to have an active influence, in the administration.

The Poor Law Amendment Act provides for the formation of four species of unions.

1. The *unions for the purpose of providing a common workhouse* may be declared at the discretion of the commissioners appointed under the act, who, when such union is proposed, are to ascertain the expense incurred by each parish for three years preceding the inquiry, and are thereupon to calculate the annual average expense of each; and this average, until varied or altered, is to constitute the scale or proportion in which each parish is to contribute to a common fund, for the following purposes:—1. for the purchasing, building, hiring, or altering, and for upholding and maintaining, of any workhouse or other place for the reception of the poor; 2. for purchasing or renting lands or tenements under the act; 3. for the payment of the officers of the union; 4. for the providing utensils and materials for setting the poor to work; and, generally, for any other expense for the common benefit of the parishes of the union. (§ 28.)

The workhouses thus paid for out of a common fund are devoted to the reception, maintenance, and employment therein of the poor of each parish of the union, in the same manner as if the houses belonged exclusively to the parishes to which such poor are respectively liable. (§ 26.) The same rule holds as to the title of each parish to the services of the paid officers.

But it is expressly provided that, in this species of union, "each parish shall be separately chargeable with, and liable to defray the expense of, its own poor, whether relieved in or out of any such workhouse." (§ 26.)

This union, therefore, only facilitates the attainment of certain common instruments, at a common expense, but does not alter or directly affect the liabilities of each parish, with respect to the burden of relieving its own poor; and the disproportions, as to the number and expense of the poor existing between parish and parish at the commencement of a union, may, by possibility, remain for ever unaltered. But, as a first stage of combination, and until a common principle of administration has brought, as it tends inevitably to do, the number of paupers of every parish to a similar proportion to its population and resources, the arrangement described secures each parish against any participation in the consequences of the past administration of its neighbours. Those parishes therefore which, up to the period of union, have kept their burdens low, contribute in a low proportion to the averages, and preserve only their own burdens; and, have nothing to apprehend from a junction with parishes in a state more pauperised, for the purposes contemplated in the constitution of this species of union.

2. The second species of *unions* are those *for the purposes of settlement.*

This is a further state of combination of parishes, which may be brought about in any union already existing, for the purposes last described, by agreement, in writing of all the guardians; or, when a parish in such union is not represented by

a guardian, by a majority of rate-payers and owners of such parish; subject, however, to the approbation of the commissioners, testified by affixing their signature and seal to the agreement.

In the unions last described, each parish retains the burden of its own poor. In unions of the kind now in question, the settlement (or right to be relieved) of any person in any of the united parishes is from the period of union to be considered, as between those parishes, a settlement in the whole union; and all expenses of relief to such person become a part of the general expenses, to be paid out of a common fund contributed to by all the parishes in proportion, and to be ascertained in the manner described under the last head. (§ 33.)

Before this stage of combination is arrived at, the parishes in an union remain as little interested in the amount of the burdens of the neighbouring parishes as if they were utterly unconnected; and each has the same interest in casting on another the burden of maintaining its own paupers. Litigation is therefore as likely to arise between such parishes as between those most distant, except in as far as improved administration may tend to prevent it. But the identification of the interests of the several parishes of an union for the purposes of settlement, render each equally concerned in diminishing the general burden; and litigation upon that which is by far the most fruitful source of dispute, the settlement of paupers, is rendered, as between one parish in the union and another, impossible.

3. Still, at this stage of union, each parish would have to raise its own proportion of the common fund, and would retain its own machinery for assessment of property liable to be rated, and its consequent irregularities of rating; the chief remaining source of the litigation arising in the administration of the Poor Laws. For the remedy of all anomalies and grounds of dispute arising from this cause, and for the complete identification in interest of all the members of any combination of parishes, a third species of *union, for the purposes of rating*, is provided for. As in the formation of unions for the purposes of settlement, the consent of the guardians of all the parishes to be united is required; or, where a parish is not represented by a guardian, of the majority of rate-payers and owners; and the concurrence of the Commissioners is to be testified by their hands and seals. Thereupon the united parishes are to be considered as one parish, for the purpose of raising in common the funds for relief of the poor of the union (§ 34.); and the guardians are directed, subject to regulations to be prescribed by the Commissioners, to proceed to ascertain and assess the property in the several parishes rateable to the poor, and to cause surveys and valuations to be made (§ 35.); the expenses of such surveys and valuations being a common charge. (§ 36.)

Rates made on such valuations are to be allowed and recovered as rates of single parishes now are; and the rate-payers are to have a like power of appeal against them as they now have against parish rates. (§ 35.)

After such common rate comes into operation, all proportions of contribution, fixed at the period when the parishes were originally united, are to cease wholly (§ 36.); and all expenditure, chargeable in respect of the relief of the poor in the respective parishes, is to be deemed the common expenditure out of the common fund raised under the common rate.

This is the most complete and perfect state of union which can be effected between parishes, as it abolishes alike all distinctions as to the settlement of the poor, as it does also with respect to the arrangement by which the means of supporting them are to be obtained.

4. The fourth species of *unions* is created *for* an extremely limited, but important, purpose; viz. that of *appointing and paying officers*. This species of union may contain several parishes, or several unions, or several of both. It does not impose on the respective parishes any common charge, either as regards the workhouse, the settlement of the poor, or in the making of the rates: it merely provides for the case where either a single parish or union cannot economically or advantageously employ a given officer, or where it is more advisable that the officer's exclusive attention should be devoted to his office, occupying him on a large scale. This is peculiarly the case with auditors, whose office requires a special skill, they having to decide on the legality of charges as well as to ascertain the numerical accuracy of accounts; a skill hard to find, and which will never be acquired for the purpose or in the practice of auditing the accounts of a single union however large; a task which, moreover, would

only engage time sufficient to interfere injuriously with any regular occupation. In this, as in many other instances, therefore, for the sake of enlarged experience and exclusive attention on the part of the officer, and of economising their funds, any number of parishes and unions may be united for the purpose only of appointing and paying officers to assist in the administration of the relief and employment of the poor; for the examining and auditing of accounts, and otherwise carrying the provisions of the act into execution. (§ 46.)

Of these four species of unions, the three first are to be governed by boards of guardians; which, immediately that any parishes are united for the administration of relief, are to be constituted and chosen to govern the common workhouses, and to administer relief. (§ 38.) Each parish is entitled to choose one guardian, at least; but the number assigned to each parish is to be determined by reference to its circumstances. The qualification of the guardians is to be fixed, as to its actual amount, by the Commissioners; but is to consist essentially in being rated to the relief of the poor in some parish in the union, it not being necessary that the candidate should be rated in the parish for which he is to serve. It is provided that the qualification shall in no case be fixed so as to require an annual rental of more than 40*l*. The same person may be elected for successive years, and for more than one parish; but, in the latter case, he is not entitled to a plurality of votes in proportion to the number of parishes he may represent. (§ 38.)

The guardians are elected by the owners of property and rate-payers, in a manner which has given rise to much discussion. It is found by experience that, although the rates are directly paid by the occupants, the burden of maintaining the poor falls ultimately on the owner of the property subject to the assessment; and that, although the rates might be, and had in many instances been, so increased as to render it impossible for the tenant to pay any rent, it was impossible to increase them beyond this extent; as immediately that they began to exceed the annual value of the property to the tenant, it ceased to be occupied. On the same principle, it is found that the lower the rates, the more is realised by the owner of the property; the tenant, in all ordinary cases, paying the full consideration in value for the use of the property, whether he paid it in one sum as rent, or partly in rent and partly in rates. It was seen, in many parishes, that the land was held with the usual profit to the tenants, although the rates had so increased that it was impossible to hold the land paying rent, and the rent had consequently ceased to be paid.

In the case where the tenant has, to any extent, a permanent interest in rateable property, as during a term, during which his rent can neither be increased nor lessened, he is interested in the reducing of the rates, as he thereby diminishes the aggregate of his payments for his occupation, and as his landlord cannot, during the interval, claim any surplus profits or rent beyond the amount originally agreed upon. But even in this case his interest is only in the proportion which his term bears to the fee simple of the ultimate owners. It is, however, incontestable, that the occupant is interested in the repression of pauperism in as far as he is interested in the moral condition of the labourers he may have occasion to employ, and of his general neighbourhood; but this is an interest so much less easily recognised than that which a man feels in his annual income, that it cannot be much relied on as a motive by which an election of guardians can be influenced. The case is wholly different from that in which political rights generally are concerned; in which all are nearly equally interested, or, perhaps, the poor man most, who has the least interest in the land or any other rateable property. In the administration of a tax levied on a definite class of property, and on definite individuals, none are so immediately interested in its cautious and beneficial application as those who must be immediately benefited by it, or must directly suffer by the contrary course. To give to all who are interested in political rights a power of influencing the administration of a fund so levied, would be to enable a class contributing little or nothing to it, and by far the most numerous, a power to dispose, without check, of the property of another, and far less numerous, class. The effect of such an arrangement has been abundantly exemplified in the case of open vestries, where those benefited only by the expenditure of the rate, and by the misapplication of the law, have usually had the control, to the exclusion of the persons most nearly concerned in its administration.

Gilbert's Act (the 22 Geo. 3. c. 83.) enabled the *owners of property*, as well as the

rate-payers, to vote for the adoption of the act, and in the election of guardians. An act known as Sturges Bourne's General Vestry Act (the 58 Geo. 3. c. 69.) introduced the system of a plurality of votes as far as the rate-payers only are concerned; giving one vote for every 25*l.* of annual value of the property assessed, until the number of votes amounts to six, the highest number which any voter can have. This last act, although it embodies an attempt to give an influence in the divisions of the vestry proportionate to the property to be affected, gives that influence, not to the person most permanently and really interested in it, the owner, but to the person paying the rate, who has usually the most transitory interest in the property and is not affected by its burthens.

The Poor Law Amendment Act contains a new arrangement, by which the interests of the mere tenant are attempted to be fully represented, while influence in the distribution of the rate is also attempted to be conferred on the owner, in some degree proportionate to his interest in the right administration of the law. The principle being, that, while adequate means are provided by law to compel the performance of all that it requires, the actual administration shall be entrusted to, or controlled by, those whose interest it is that more than the law enjoins should not be done. The 40th section, therefore, confers on owners of property a right to vote in the election of guardians, and, in certain other cases, in the proportion ascertained by Sturges Bourne's Act for rate-payers; that is, to give one vote for every 25*l.* in annual value of rateable property, until the votes amount to six, the highest number allowed to any person as owner. An owner, who is also a *bonâ fide* occupier paying rates, may, however, vote in both characters. Being equally interested in his rent, whether resident in the parish or not, he is entitled to appoint a proxy to vote for him as owner, but not as occupier. (§ 40.)

It will readily be seen that the legal owners have, in many cases, so encumbered their property, or parted to such an extent with all beneficial interest in it, that they have lost all interest in the profits derivable from it. The act, therefore, gives to leaseholders, having a beneficial interest to the extent of one third of the annual value of the property let to them, and to persons receiving two thirds of the annual value on their own account, or as mortgagees or other encumbrancers in possession, the right to vote as if they were actually owners. (§ 109., *voce* "Owner.")

Rate-payers merely, as being less interested in the careful administration of the rates, are entitled to less votes in proportion to the property in their occupation. Rate-payers having been rated a year, and paid all rates due previous to the last six months, are entitled to give one vote, when rated at any sum under 200*l.*; when rated at 200*l.*, but under 400*l.*, two votes; at 400*l.*, or more, three votes. Though, in respect of any given property exceeding in annual value 50*l.*, the owner has more votes than the tenant, still, under ordinary circumstances, the votes of the rate-payers of a parish greatly exceed in the number the votes of the owners of the property they occupy; every rate-payer, however small his property, having one vote; while the owner's property, however large, and although occupied, as is mostly the case, by much more than six rate-payers, can never confer on him more than six votes. The interests of the rate-payers are, in another respect, secured by the qualification which excludes mere owners from becoming, who must be payers of rates within the union.

The guardians elected by this constituency continue in office until the 25th of March following their appointment, or until others are appointed in their stead. (§ 38.) Any justice of the peace resident in any parish in an union, and acting for the county in which it is situate, is *ex officio* a member of the board of guardians. The whole body of guardians have the exclusive ordering, giving, and directing of all relief in the union; and can in the performance of this, as of all their general duties, only act as members, and at meetings of a board, at which three must be present, and concur in every act. The acts of a board bind the absent members, and bind also the parishes of the union who may not have elected guardians, or of which the guardians may have resigned, disqualified, or died. (§ 38.)

The local administration (that of parishes, by means of overseers, assistant-overseers, vestries of various kinds, and by guardians; and that of districts or unions created for various purposes, and regulated by boards, guardians, or analogous bodies) has been described. Another branch of local administration, of very limited extent, is that of *Justices of peace*, not acting in a judicial, but in a ministerial, or

merely administrative, capacity; as in the allowance of the poor-rates, in enforcing their levy, in appointing overseers and assistant overseers, in binding parish apprentices, &c. In the performance of these acts, justices of the county sometimes act as individuals at their own residences; sometimes in districts or divisions of petty sessions, formed for convenience in transacting such business as requires the concurrence of two justices; but which divisions have no fixed relation to the division of parishes, townships, or vills.

A general or central Authority for Purposes of Administration is only recently established. This consists of a board of three persons, to be appointed by the King by warrant under the sign manual, and styled the Poor Law Commissioners for England and Wales. They are removable at the King's pleasure, and are to hold office, under the present act, for no longer period than five years after it received the royal assent, and thenceforth to the end of the next session of Parliament. (§§ 1, 2.)

They are appointed to direct and control the administration of relief to the poor throughout England and Wales, according to the laws in force at the time being (§ 15.), and for this purpose are to sit as a board; two of them constituting a board (§ 2.). They have ample powers to make inquiries connected with the relief of the poor, and to compel answers and returns. (§§ 2. 12, 13. 85.)

They are to make and issue rules, orders, and regulations for the control of subordinate officers; to determine the kind and quantity of relief to be given to the various classes of poor, especially the able-bodied. (§ 52.) They are at their own discretion to declare unions for the purposes of administration merely, and for appointing and paying officers (§§ 26. 46.); and, with the consent of guardians, or of a majority of owners and rate-payers, to declare unions for settlement (§ 33.) and rating (§ 34.). They are to make rules for the building, altering, and government of workhouses (§§ 15. 42.); for the education of children therein (§ 15.); for the guidance and control of guardians, vestries, and parish officers; and for the appointment by overseers and guardians of such paid officers, with such qualifications as they may think necessary (§ 46.); for the regulation of contracts (§ 49.); and, generally, they are to control all persons exercising any powers in any way relating to the relief of the poor. (§ 21.) For the better performance of these extensive duties, they are enabled to appoint nine assistant commissioners (§ 7.), (and, with the consent of the Lords of the Treasury, a greater number), to whom they may delegate such of their powers as they may think fit, except the power to make general rules. (§ 12.)

The summonses and orders of the Commissioners, or their assistants, are enforced by penalties provided in case of neglect or disobedience. (§ 96.) The Commissioners' general rules and orders, that is, rules and orders applicable to several unions, or to several parishes not in union, or not to be united by virtue of such orders, must be sent to one of the principal Secretaries of State forty days before they take effect; and may at any time be disallowed by his Majesty, with the advice of his Privy Council. (§ 16.) All general rules in force must be laid before Parliament within one week after the commencement of the session. (§ 17.)

The Commissioners are likewise to give such information respecting their proceedings, or any part of them, to the Secretary of State, as he may from time to time direct and require. (§ 6.) They are also to make a record of their proceedings, to be submitted to the Secretary of State once a year, or oftener if required; and are to submit, yearly, a general report of their proceedings, to be laid before Parliament. (§ 5.)

The *judicial control* to which the administrative officers are immediately subject is, first, that of the justices of the peace; secondly, that of the King's Bench.

Besides the administrative or ministerial functions before described, the *justices of the peace* have (chiefly at quarter sessions) judicial authority over most of the acts to be performed by the overseers. Thus the rates made by overseers may be appealed against at quarter sessions. Removals of paupers take place on the adjudication by two justices that the pauper is chargeable to one parish, and is legally settled in that to which the removal is made; and appeal may be made from this adjudication to the justices assembled at quarter sessions. Two justices may order the persons liable under the 43 Eliz. c. 2. § 7. to maintain their actual relations. Two justices may direct adult persons, unable to work through old age or

infirmity, to be relieved out of the workhouse of an union. (4 & 5 W. 4. c. 76. § 27.) One justice may order medical or other necessary relief in urgent cases, even where a board of guardians are appointed. (§ 54.)

The Court of King's Bench has control over all officers by means of its writs of *mandamus* and *quo warranto*, by which it can compel the specific performance of duties by officers, or restrain them when they have usurped authority. It also obtains jurisdiction in cases before the justices of peace at quarter sessions by means of its writ of *certiorari* (by which it directs the inferior court to remove any matter in contest into the superior court), and also by means of the statement of special cases, where the court of quarter sessions may desire to obtain the opinion of the Court of King's Bench on any matter of law depending, and of which a reasonable doubt is entertained: special verdicts have the same effect. All officers are likewise subject to private action where any special damage is done to an individual by the improper execution of their office; and, also, indictment for a misdemeanor for non-performance or neglect of their official duties, or for misfeasance in their performance. Overseers are, in this latter manner, punishable both for neglecting to give relief where it is necessary, or for giving it where it is unnecessary.

The Poor Law Commissioners and their assistants, besides being liable to the usual responsibilities as officers (in respect of which, however, some protections are afforded them, § 104.), are subject immediately to the control of the King's Bench in the matter of the rules, orders and regulations which they are authorised to make and issue. It is provided by the 105th section, that no rule, order, or regulation of the Commissioners, or their assistants, shall be removable by writ of *certiorari* into any other Court. This Court may declare any such rule, order, or regulation, illegal; but, until so declared, it is to continue in full force, and be obeyed and enforced as if it had not been removed. No person can be prosecuted by indictment or civil action for any thing done in pursuance of such rule, before he has notice that it has been quashed as illegal. (§ 108.)

The foregoing statement — describing the classes entitled to relief, the means provided for that purpose, the different orders of administrative officers, and the executive and judicial control to which they are subject — is a general picture of a very complex system; into which a principle of unity has only recently been introduced by the Poor Law Amendment Act, which, as it constitutes unquestionably an epoch of the greatest importance in legislation on the subject, was the point at which the preceding history of the law was broken off; and which will now be resumed for the purpose of showing some of the effects of the recent modifications of the system.

Operation of the System as modified by the Poor Law Amendment Act.

In conformity with the provisions of the Poor Law Amendment Act, which received the royal assent on the 14th of August, 1834, the Commissioners were appointed on the 18th of that month: and, in further conformity with the act, the Commissioners have since made to Parliament two Annual General Reports; the second of which will not, however, be printed for distribution at the time this article will have gone to press.

The Commissioners report, that when they came into office they found great misapprehensions existing as to the state of the law; many of the local officers having ceased altogether to give relief, in the belief that their power was superseded. The Commissioners found full occupation for some time during the winter of 1834–5 in attempting to dispel these misapprehensions, and in giving explanations of the operation of the new law, by means of correspondence, circulars, and explanations to deputations.

In anticipation of the introduction of the system of relief in workhouses, it was generally recommended that relief should be given to certain classes, the able-bodied especially, in kind instead of money; and the effect of this recommendation is thus referred to in the Report for 1835, § 6.: —

"Where money allowances had by custom remained unchanged in amount, we found the actual allowances of the paupers to be increasing in proportion to the reduction of the price of agricultural and other produce. These incidents of money payment powerfully affected the rural parishes which, when examined, display an increase of pressure greatly beyond any nominal increase of the rates. The reports

which we have received from a considerable number of parishes show that the recommendation of this substitution of relief in kind has been extensively acted upon, and that the effects, in every instance that has been presented to us, have been, to a greater or lesser extent, beneficial. The letters from the parish of Hatfield Broad Oak will illustrate the nature of the applications made to us, and the effect produced by the measures recommended.

"In some of the London parishes the adoption of this form of relief has occasioned a reduction of the burthen of the out-door pauperism to the extent of nearly one-third. In the rural parishes the change is marked by complaints on the part of the beer-shop keepers, and in towns by the diminished consumption of gin immediately following the adoption of this mode of relief."

The Commissioners, having previously in the month of December appointed nine assistant commissioners (which number has since, with the consent of the Lords of the Treasury, been increased, for the temporary emergency, to twenty-one), proceeded in the spring of 1835 to introduce the workhouse system, and the administrative organisation prescribed by the act. The Commissioners thus describe this part of their proceedings: —

"The principle which we have adopted for the selection of the districts for our proceedings in the formation of unions, has been to commence with those in which vicious modes of administration had become the most deeply rooted, and where the pauperised classes were the most demoralised, and the burthens of the rate-payers were the heaviest. It was, however, soon perceived in practice that the amount of the pecuniary burthen beyond the general average of the amount of rates per head on the population of England and Wales, formed the most correct index of the relative amount of disorder arising in a district from mal-administration.

"The deviations which we have allowed ourselves to make from the strict order of the relative pecuniary burthen of the districts proceeded with, have been chiefly occasioned by special applications, or by the occurrence of particular exigencies. The selection of the part of Berks, first visited, was occasioned by a special application for the formation of a union. Our Assistant-Commissioner first visited West Sussex upon an application of the local authorities, in consequence of a commotion which had arisen, apparently on the approach of the change of system in the administration of relief, but really in consequence of the reduction of the ordinary wages of labour. Our first proceedings, which led to the formation of the Wycombe and other unions, in the county of Buckingham, were taken in consequence of a forcible appeal to us for the exercise of our functions from the pauper labourers of the parish of Bledlow. Our early intervention in Wiltshire was occasioned by a demand for assistance, in consequence of acts of incendiarism and threatened disturbances, arising from the continuance of abusive modes of administration near Calne; and by an appeal from Colonel Napier and other gentlemen, for the protection of some aged paupers from cruelties or neglect, in the parish of Freshford, now included in the Bradford Union. The proceedings which led to the formation of the first union of parishes in the county of Middlesex (the Hendon Union) were occasioned by an appeal from the magistrates of the Hendon division, to correct the mismanagement of paupers in the Harrow workhouse; for the abatement of which evils the powers of the magistrates, under the old law, were deemed inadequate. Our first direct intervention by the appointment of a Board of Guardians in a metropolitan parish, was called for by a large proportion of the rate-payers, to restore peace, and to ensure good management in the parish, which was torn by dissensions. The applications of a similar description have been numerous beyond our power of immediate compliance.

"In several instances, however, where we have so far complied with them, that we have caused an Assistant-Commissioner to visit the district, it having been found upon examination, that although evils of the kind complained of did exist, yet that in amount they were greatly below the evils in action elsewhere, we directed a suspension of proceedings in favour of the most heavily burthened districts.

"Having put our Assistant-Commissioners in possession of our views, and of the general information contained in the Reports of the late Commissioners of Inquiry, and all the local information and statistics which our office could furnish relating to the parishes and districts assigned to them, they proceeded to re-examine every parish; 1st, with relation to the description and pressure of any existing evils in the administration of relief in the parish; 2dly, as to the means existing within the

parish of remedying such evils; 3rdly, as to the remedies available by means of a union with other parishes, and as to the extent of the union requisite and practicable for the most efficient and economical administration on sound principles. Upon this examination, the Assistant-Commissioner is required to prepare a written Report to the Board, setting forth the measures which he recommends for adoption, and referring to the evidence on which the recommendation of each measure is founded. Where the formation of a union is recommended, a considerable portion of the data collected is reduced to a tabular form. In many instances, we find it necessary to hold a personal conference with the Assistant-Commissioner before determining on the measures proposed, and as to his general course of proceedings."

After having spent about nine months in preliminary inquiries and other preparatory measures, the Commissioners appear (in the month of July in the present year, 1836) to have already placed under the superintendence of new boards of guardians, 6841 parishes, out of a total number of 15,535 parishes, townships, and villages in England and Wales. As the worst managed parishes were chosen for the first proceedings, the expenditure of more than one-half of the rates is thus placed under the control of the Commissioners, who have also acted extensively in parishes which still remain ununited.

As has been observed by a public writer, fully conversant with the whole principles and operation of the measure, "When the re-organisation has taken place, instead of the overseers, or often the single overseer, who unites in his own person, and merges in himself all the checks afforded by the discharge of the functions of assessor, collector, treasurer, relieving officer, clerk, &c., the parish in union will have,

"1. A paid collector, who assists in making the assessments, and collects the rates, who follows no other occupation, has no customers or tenants to serve, by excusing or delaying the collection of the rates, which, when collected, are paid into the hands of,

"2. A treasurer, who, as he gives security (and in some instances interest will be given for the deposits), the rate payers are exempt from the inducements to profusion to obtain large balances, as well as from the risks arising from the frequent defaults of the unpaid overseers in trade making use of the money, or from the farmer turning it to account during hay-time and harvest. This money is administered by,

"3. Guardians, chosen, not by promiscuous assemblages in vestry, or by the magistrates, but freely by all the rate payers within the union, on a mode of election which enables every one to vote calmly and deliberately, without sacrifice of time in attending at a polling booth.

"The guardians are, in respect of education, interest in good management, and station, far superior to the overseers, as might be expected from the choice being from a wider district. At these local boards, the chief occupiers and the chief owners, the yeomanry, gentry, and, we may add, the nobility, meet and act together. This is the first time, we believe, in the history of the country, that these classes have ever met habitually in the rural districts for the transaction of public business. Amongst the peers who act as chairmen to the boards of guardians are — the Duke of Richmond, the Duke of Rutland, the Earl of Liverpool, the Earl of Kerry, Lord Barrington, Lord Radnor, Lord Ellenborough, Lord Salisbury, the Marquis of Exeter, Lord Ebrington, Lord Braybroke, Lord Northampton, and a number of others of every party in the state. This intercommunion of the most intelligent men of the different classes and parties within each district must itself be productive of the most beneficial consequences.

"These guardians superintend and control the distribution of relief, and execution of the law by a staff of carefully appointed paid officers, consisting of a clerk, and of relieving officers, masters of workhouses, matrons, schoolmasters, who devote their whole time to the performance of their duties. To these are added medical officers and chaplains; and above all, an auditor."

The results in practice have fully justified the soundness of the principles on which the consolidation of parishes into large unions was recommended.

"These results are indicated by the pecuniary savings in the larger, as compared with the smaller unions, which have been for any length of time in operation.

"Of the 120 unions which have been the longest in operation — taking the 20

unions which are positively the largest, as regards the population, area, and rates, and comparing them with 20 of the smallest unions — the results are as follows: —

20 *Largest Unions.*

Average Expenditure.	Saving.	Rate per Cent.
336,172*l.*	204,618*l.*	60¾

20 *Smallest Unions.*

Average Expenditure.	Saving.	Rate per Cent.
121,475*l.*	35,371*l.*	29

"On extending the classes from which the results are taken, the effects of management upon a large scale appear to be proportionately striking. On comparing the effects of the 30 positively largest, the 30 intermediate, and the 30 positively smallest unions out of the 120, the results appear to be as follows: —

30 *Largest Unions.*

Average Expenditure.	Saving.	Rate per Cent.
454,496*l.*	269,840*l.*	59½

30 *Intermediate Unions.*

Average Expenditure.	Saving.	Rate per Cent.
282,090*l.*	121,808*l.*	43¼

30 *Smallest Unions.*

Average Expenditure.	Saving.	Rate per Cent.
192,033*l.*	60,597*l.*	31½

The more important effects of the measure on the labourers is thus stated by the same writer.

"The effect of the progressive discontinuance of the allowance system, and the entire cessation of out-door relief to the able-bodied, has been to cause the absorption of almost the whole of the surplus of able-bodied labourers. For example, in the 4 following unions in the county of Kent, the effects of the measure have been as under mentioned: —

Name of Union.	Total Number of able-bodied Paupers at the Formation of Union.	Number of able-bodied Paupers in June instant.	Population.
Milton	291	1	10,689
Bridge	272	1	9,244
Blean	241	1	10,639
River	150	2	10837
Totals	954	5	41,409

"Close inquiries have been made as to what has become of these labourers; and it is found that nearly the whole of them are accounted for as at work within their parishes. Only about half-a-dozen men in each union have quitted it in search of work elsewhere. These were fellows whom no one would entrust in their farms. It is presumed, that they have most of them gone to places where they may renew their characters. One or two of them have gone to seek glory and pay in the service of the Queen of Spain.

"The county of Sussex is the one which was the most deeply pauperised in the whole country; and, from recent official returns from that county, we are enabled to furnish a more complete exemplification of the operation of the new law.

Name of Union.	Population.	Average Annual Rates at the Formation of the Union.	Rates for the Quarter.	Rate of Saving on Year.	Number of able-bodied Paupers at the Time of forming the Union.	Number of able-bodied Paupers in March last.	Number of able-bodied Paupers in June inst.
Uckfield	16,109	10,643	1,479	61½	218	8	
Cuckfield	12,017	17,139	2,136	46¾	419	46	
Chailey	6,977	9,576	1,114	30¼	139	33	15
Eastbourne	7,823	11,964	1,410	40	265	12	
Hailsham	11,525	16,351	No return		350	69	
West Firle	2,351	2,957	339	26	40	15	
Tinhurst	15,317	10,915	1,569	50	360	12	
Battle	12,068	14,235	1,413	33	608		
Lewes	9,297	5,770	912	36	175	4	2
East Grinstead	11,476	12,053	3,162		658	45	3
Hastings	15,250	6,969	1,319	24¼	206	18	6
Rye	11,118	11,588	1,377	52	372	42	14
Westbourne	6,585	5,095	1,753	32	90	6	
Steyning	11,071	9,339	1,199	15	236	11	30
Thakham	7,311	9,796	1,313	30	512	25	
Horsham	12,270	14,665	1,776	67	454	51	
Medhurst	12,239	17,536	1,478	66	506	20	
Petworth	9,042	12,226	995	52	332	71	62
Westhampnett	15,017	16,467	1,687	49	216	18	
Newhaven	4,400	3,371	492	41	61	11	
Totals	205,936	229,645	27,044	45	6,160	534	124

The following return represents the results of the measure in the unions of the several counties which have come into tolerably complete operation: —

Counties.	No. of Unions.	Number of Paupers relieved.			Workhouse.			Quarter's Expenditure up to 25th March last.	Estimated Annual Expenditure under the New Law.	Average Annual Expenditure previous to the Formation of the Unions.	Saving on the Average Annual Expenditure.	Rate per cent. of Saving.
		Indoor.	Outdoor.	Total.	Old.	New.	Room for.					
Buckingham	5	514	6,421	6,935	14	2	1,385	9,118	36,669	79,758	43,089	54
Berks	11	923	7,555	8,478	22	6	4,142	17,687	63,649	128,434	64,785	51
Kent	21	2,597	20,416	23,813	51	14	10,104	28,891	118,292	241,726	123,434	51
Oxford	4	139	5,343	5,482	8	4	1,650	7,158	33,577	70,687	37,110	50
Bedford	6	682	5,792	6,474	18	6	2,575	9,492	42,427	83,532	41,105	49
Cambridge	4	186	3,927	4,113	4	2	420	6,039	23,006	45,032	22,026	49
Dorset	9	326	4,862	5,188	4	4	1,290	6,508	27,262	53,372	26,110	48
Worcester	2	65	1,750	1,821	2	-	100	1,826	7,304	15,628	76,324	46
Sussex	18	2,199	10,022	12,221	52	4	5,440	27,223	110,102	198,639	88,537	44½
Wilts	15	1,003	14,872	15,875	22	6	3,601	17,041	78,089	139,917	61,828	44
Middlesex	1	133	318	451	2	-	150	1,265	4,920	8,568	3,648	42½
Essex	12	1,138	10,404	11,542	61	3	5,589	21,742	94,179	162,164	67,985	42
Northampton	10	319	9,906	10,225	21	6	2,181	11,535	60,829	104,927	44,098	42
Suffolk	12	1,423	13,572	14,995	57	3	5,718	24,909	123,236	205,571	82,335	40
Somerset	3	-	4,326	4,326	-	2	140	3,424	22,866	38,279	15,413	40
Herts	10	1,464	4,634	6,098	26	3	2,745	12,663	50,651	84,480	33,826	40
Hants	22	1,623	14,181	15,804	42	7	4,780	28,824	93,997	151,484	57,487	38
Lincoln	4	610	2,152	2,762	18	3	1,836	4,940	23,539	36,422	12,883	35
Gloucester	6	579	3,093	3,762	11	-	990	5,511	22,016	32,699	10,653	32
Norfolk	5	51	6,576	6,627	-	5	1,505	11,211	36,814	53,124	16,280	31
Leicester	2	64	2,413	2,474	2	-	250	2,528	16,736	21,676	4,940	23
Devon	5	15	1,888	5,564	3	2	625	4,798	42,852	52,980	10,148	19
Totals	187	16,053	154,423	175,030	445	82	55,196	264,531	1,135,055	2,007,199	874,044	43½

Reference must be made to the two reports of the Commissioners on the general effects upon the other less numerous classes of the population, exposed immediately to the operation of the Poor Laws. The numbers of the several classes of paupers have never yet been ascertained with any approach to accuracy; but some idea may be formed of the proportion of one class to another, since the measure has been brought partially into operation, from the following table, formed on the quarterly abstracts of the accounts of the unions in the respective counties named. It is to be regretted that similar data do not exist for the calculation of the respective proportions of the several classes formerly relieved, as the able-bodied would have constituted, before the measure came into operation, a vastly different proportion of the whole.

Extract from the Monthly Report of the Poor Law Commissioners for April, 1836.

Counties.	Description of Pauper.		(*a*) Number of each description of Pauper.	(*b*) Total Number of Paupers.	(*c*) Total Amount of Population.	* Proportion of (*a*) to (*b*)	* Proportion of (*a*) to (*c*)
Northampton, Oxford, Bucks, Suffolk, Kent, Berks, Bedford, Dorset, Herts, Sussex, Essex, Wilts, Hants, Cambridge, and Gloucester.	Aged, Orphans, Insane, &c. &c.	Aged and Infirm of both Sexes.	36,062	87,202	1,447,225	1/2	1/40
		Orphan and Foundling Children.	4,874			1/18	1/297
		Illegitimate Children.	6,183			1/14	1/234
		Insane Persons and Lunatics.	497			1/175	1/2912
		Idiots.	1,033			1/84	1/1401
	Able-bodied.	Alleged insufficiency of Earnings.	9,495			1/9	1/152
		Who had lost Work or Place.	5,899			1/15	1/245
		On account of Temporary Sickness.	4,824			1/18	1/300
		Whose Families were relieved on account of Sickness.	2,435			1/36	1/594
		Families relieved on account of the Number.	7,321			1/12	1/198
		Families destitute on account of Misconduct of Parents.	1,264			1/69	1/1145
		Name of the other Classes not included in the preceding.	7,315			1/12	1/198

* It is to be observed that these proportions are given in round numbers.

The following table, calculated from the said data, gives in more detail the proportions in the same unions of each class of paupers to the population (a), and to the whole number of paupers (b).

| Counties. | Population. | Total Number of Paupers. | Proportions of | | |

Quarterly Abstract, showing the Number of Paupers of all Classes actually relieved, and the Amount of Money received and expended, during the Quarter ending the 25th of December, 1835, in Portions of the following Counties.

The next table shows the kind of relief, whether in the workhouse or out, distributed to the paupers to whom the foregoing tables refer; — and also the various character of the receipts in the same unions, and of the expenditure connected with the relief of the same paupers.

Number of Paupers Relieved.

Counties.	Aged and Infirm of both Sexes.			Orphan and Foundling Children.		Illegitimate Children.		Insane Persons and Lunatics.			Idiots.		Able-bodied. On account of alleged Insufficiency of Earnings.		Who had lost Work or Place.		On account of Temporary Sickness.		Whose Families were relieved on account of Sickness.		Families relieved on account of the Number.		Families destitute on account of Misconduct of Parents.		Names of the other Classes not included in the preceding.		Total Number of Poor receiving Relief.		Total.
	In-door.	Resident.	Non Resident.	In-door.	Out-door.	In-door.	Out-door.	In-door.	Out-door.	Lunatic Asylum elsewhere	In-door.	Out-door.	In-door.	Out-door.	In-door.	Out-door.	In-door.	Out-door.	In-door.	Out-door.	In-door.	Out-door.	In-door.	Out-door.	In-door.	Out-door.	In-door.	Out-door.	
Northampton	87	1,410	103	21	67	6	191	1	22	2	2	29	25	346	6	209	1	61	-	110	-	99	22	12	224	24	-	244	6,094	7,097
Oxford	49	1,573	148	27	188	14	322	-	11	10	4	48	-	444	1	91	-	76	-	141	-	317	2	33	8	8	-	113	3,221	3,334
Bucks	45	683	115	22	90	29	151	-	3	2	-	15	19	87	31	273	7	125	-	26	-	21	11	21	11	2	-	295	2,407	2,702
Suffolk	212	2,414	516	50	326	44	639	5	15	20	8	77	24	1,203	112	714	7	325	1	146	4	589	10	75	622	55	95	665	7,771	8,436
Kent	562	1,840	874	85	369	58	549	21	13	7	34	62	122	1,990	134	354	31	367	10	271	3	438	89	74	1,767	2,235	539	1,706	13,667	15,428
Berks	359	2,579	227	61	210	40	538	4	24	22	11	52	15	228	17	162	32	291	-	195	11	402	24	56	308	86	21	868	6,474	7,342
Bedford	255	2,275	192	84	245	35	323	8	9	11	33	49	50	1,007	121	616	29	511	11	142	17	255	40	74	21	44	17	682	5,292	5,974
Dorset	68	567	49	5	26	8	105	-	1	3	1	9	-	16	-	18	-	18	-	-	-	-	-	1	-	24	-	82	837	919
Herts	536	1,617	259	125	219	48	139	6	10	30	40	46	32	376	77	96	80	277	7	178	14	266	64	67	39	43	14	1,062	3,635	4,697
Sussex	661	2,702	916	240	377	256	581	13	24	20	64	79	240	679	354	501	50	533	29	453	184	2,756	48	86	303	85	64	2,343	10,429	12,772
Essex	195	1,553	189	42	366	36	338	3	3	3	6	48	50	429	103	244	7	307	-	151	6	248	11	69	143	36	1	691	4,506	5,197
Wilts	111	1,943	325	36	210	29	376	10	17	4	17	35	23	511	34	368	25	235	-	53	41	281	26	54	87	4	3	352	4,505	4,857
Hants	603	4,477	644	276	817	91	872	17	23	49	69	118	114	1,091	147	926	46	1,096	13	337	67	939	51	148	463	682	13	1,506	12,816	14,322
Cambridge	38	1,005	173	7	137	8	169	4	7	1	4	32	2	196	13	157	-	212	2	27	-	102	13	35	168	6	6	93	2,429	2,532
Gloucester	94	716	272	33	115	31	237	10	20	11	16	25	14	159	9	6	5	150	1	128	-	227	16	32	15	7	2	236	2,120	2,356
Totals	3,878	27,154	5,030	1,114	3,760	733	5,450	102	200	195	309	724	730	8,765	1,161	4,738	210	4,584	74	2,361	354	6,967	427	837	4,679	2,338	298	10,938	87,003	98,765
Grand Totals	36,062			4,874		6,183		497			1,033		9,495		5,899		4,824		2,155		7,321		1,264		7,315		97,941		
	In-door, 6,136; Out-door, 42,513; Total, 48,649												In-door, 2,986; Out-door, 28,252; Total, 31,238.																

Receipts.

	Amount contributed to each Union during the Quarter.			Earnings of Paupers in the House.			Received from other Sources.			Total Amount of Receipts.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Northampton	11,286	3	5¼	-	-	-	231	15	3	11,520	18	8¼
Oxford	5,678	6	9	-	-	-	-	-	-	5,678	6	9
Bucks	3,812	6	6¾	3	16	4¾	0	10	0	3,816	12	11¾
Suffolk	14,850	5	6	-	-	-	24	6	9	14,874	12	3
Kent	19,342	4	11¾	-	-	-	520	10	6¾	19,862	15	5¾
Berks	12,76-	14	6¾	-	-	-	1	12	1¾	12,768	6	8¾
Bedford	10,482	4	10	28	10	7	430	18	11¾	11,112	16	11¾
Dorset	1,139	1	7	2	13	2	35	12	1	1,177	6	10
Herts	7,710	18	2¾	29	5	11	14	16	0¾	7,790	15	1¾
Sussex	27,861	5	6	14	3	10	897	19	5¾	28,773	7	11¾
Essex	12,488	5	6	10	2	3	0	12	0	14,885	16	2¾
Wilts	6,924	4	3¾	16	18	8	93	8	4¼	6,084	11	3¾
Hants	24,447	12	0¾	48	16	6¾	280	17	7¾	24,777	6	3
Cambridge	4,413	0	5¼	-	-	-	11	4	6	4,424	4	11¾
Gloucester	4,441	5	0	0	16	3	-	-	-	4,442	1	3
Totals	467,643	19	2	155	3	7¾	2,552	3	7¾	171,969	17	7¾

Expenditure.

	Total Charges of Maintenance in the Workhouse.			Out-door Relief Charges.			Establishment Charges.			Total Payments.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Northampton	488	5	3	6,464	9	3¼	1,004	17	8	7,907	12	2
Oxford	254	8	7¾	4,179	0	4¼	531	9	6¾	4,964	18	0¾
Bucks	435	2	6¼	3,080	2	10	589	8	4¾	4,104	13	9
Suffolk	1,264	5	7¾	10,331	3	7¼	3,125	11	11	14,751	11	2
Kent	2,145	13	11¼	10,503	17	11¾	3,701	1	3¾	17,248	5	2¼
Berks	1,126	6	6¼	6,889	11	6¾	3,773	15	8	15,563	0	10¼
Bedford	716	8	7	6,531	15	4	2,445	3	0	9,692	6	11
Dorset	129	18	11	760	1	9	206	0	0	1,463	13	2
Herts	1,631	15	3¾	3,994	18	6¾	2,545	18	4¾	9,016	12	2
Sussex	3,750	4	7	12,526	2	10	9,386	5	4¾	25,662	12	2
Essex	788	17	3	8,400	12	6	2,494	17	10	11,684	7	7
Wilts	319	15	10	3,775	10	4¾	677	7	1	4,772	13	3¾
Hants	2,073	2	2	14,472	17	6¾	4,559	15	6¼	21,103	15	2¼
Cambridge	154	15	5¾	3,595	5	5¾	717	10	0	4,467	18	11¾
Gloucester	258	10	9¾	1,753	6	9¾	883	16	4¾	2,895	3	10¾
Totals	15,486	8	11¾	97,268	16	9	36,845	12	1	155,001	4	6¾

The annual returns of the expenditure for the relief of the poor were formerly collected by officers of the House of Commons, and a considerable portion of the returns for 1834–5 perished in the fire by which the houses of parliament were destroyed; and the consequent delay in procuring new returns, and in making the calculations connected with them, has caused the publication of the usual annual return to be postponed till the present time. The returns for the years 1835–6 have been collected and arranged by the Poor Law Commissioners, and will be published with those of the preceding year: they will, however, in all probability, not be distributed before the next session of Parliament, and it is therefore thought desirable to print the abstracts entire in the present work, which will probably make its appearance before that time.

Abstract of Returns, showing the Amount of Money levied by Assessment for Poor's Rate and County Rate in each County in England and Wales, in the Year ended 25th March, 1835; also the Amount of Money expended in the same Period; distinguishing the Payments made for the Relief of the Poor, the Sums expended in Suits of Law, Removal of Paupers, &c., the Sums expended in County Rate, and the Sums expended for all other Purposes; specifying the Rate of Increase or Decrease in each Year, as compared with the Year preceding.

Counties.	Year ended 25th of March, 1835. Total Money levied.	Expended for the Relief of the Poor.	Expended in Suits of Law, in Removals, &c.	Payments for or towards the County Rate.	Expended for all other Purposes.	Total of Parochial Rates expended.	Increase per Cent.	Decrease per Cent.*
	£. s.	£. s.	£. s.	£. s.	£. s.	£. s.		
Bedford	79,779 11	66,445 11	1,160 5	4,358 8	5,864 6	77,828 10	-	15
Berks	109,304 14	86,435 0	2,258 11	8,818 15	11,697 7	109,109 13	-	14
Buckingham	131,760 6	106,100 3	3,117 2	7,730 9	12,542 17	129,490 11	-	15
Cambridge	108,678 2	86,455 19	2,918 15	8,810 6	10,561 6	108,744 6	-	10
Chester	127,445 5	81,211 4	5,851 19	20,399 12	17,228 19	124,691 14	-	12
Cornwall	111,170 14	84,534 15	3,450 13	8,452 17	11,913 15	108,352 0	-	9
Cumberland	54,396 15	35,966 8	1,857 3	8,651 16	5,130 6	51,605 13	-	10
Derby	93,592 19	62,885 15	3,449 10	12,632 9	13,818 7	92,799 1	-	14
Devon	231,766 6	189,917 3	6,251 2	15,188 12	18,051 11	229,408 8	-	10
Dorset	91,915 15	76,091 3	2,065 4	9,058 4	6,999 2	94,213 13	-	10
Durham	96,491 1	72,197 2	4,221 4	9,107 16	9,167 3	91,693 5	-	9
Essex	260,424 5	210,045 16	7,318 13	18,253 14	23,716 5	259,334 8	-	12
Gloucester	177,858 14	130,156 3	5,127 14	14,853 10	21,634 7	171,771 14	-	19
Hereford	59,586 6	48,053 0	1,224 8	5,136 10	5,180 10	60,174 8	-	15
Hertford	95,190 12	70,997 17	1,919 3	9,165 13	12,187 2	94,599 15	-	17
Huntingdon	42,998 12	31,224 17	846 1	4,221 14	5,967 18	40,348 12	-	13
Kent	370,718 19	297,098 6	12,371 3	24,790 2	47,742 18	382,002 9	-	14
Lancaster	378,946 14	222,059 10	11,625 2	68,827 9	64,888 3	367,400 4	-	12
Leicester	116,083 0	83,986 10	3,808 9	16,883 9	12,091 11	116,769 9	-	17
Lincoln	207,367 2	146,057 15	7,749 8	26,749 10	25,855 11	206,412 4	-	9
Middlesex	754,660 17	483,041 16	14,685 3	64,588 10	187,044 18	749,360 7	-	17
Monmouth	32,669 5	23,804 11	1,325 7	5,551 5	2,856 7	33,537 10	-	14
Norfolk	327,096 2	273,348 11	8,083 14	12,162 11	28,529 5	327,308 12	-	11
Northampton	144,112 4	118,842 6	2,497 13	9,332 2	13,122 19	143,795 0	-	15
Northumberland	87,054 6	68,405 0	3,337 6	9,052 5	6,775 11	87,570 2	-	5
Nottingham	92,912 6	55,182 7	3,387 5	21,190 19	13,824 0	93,584 11	-	16
Oxford	129,482 5	106,640 9	2,258 18	8,482 7	11,694 15	129,076 9	-	12
Rutland	11,616 5	8,183 10	238 4	1,112 8	1,958 15	11,492 17	-	9
Salop	94,977 9	73,038 13	3,143 7	13,462 2	7,266 17	96,910 19	-	11
Somerset	137,956 13	104,198 18	5,398 0	18,905 11	21,030 2	129,736 11	-	12
Southampton	211,826 17	174,418 2	4,324 12	15,799 2	22,251 5	216,793 1	-	14
Stafford	132,939 18	104,215 10	5,734 10	5,032 17	20,829 0	135,841 17	-	13
Suffolk	270,108 18	224,095 11	6,777 11	20,102 19	19,275 4	270,749 5	-	9
Surrey	321,359 4	225,120 3	6,772 12	21,677 15	71,020 7	324,590 17	-	14
Sussex	262,991 16	210,701 8	6,656 8	14,414 8	30,937 5	262,739 9	-	15
Warwick	173,210 4	138,629 19	5,010 8	17,910 19	22,092 2	183,643 8	-	12
Westmorland	26,536 14	20,056 19	325 3	3,723 2	2,036 19	26,142 3	-	10
Wilts	198,058 6	161,448 16	3,327 9	13,813 1	15,887 15	194,376 17	-	7
Worcester	94,461 6	68,887 8	2,543 14	11,960 13	10,589 2	93,980 17	-	16
York, East Riding	115,982 15	81,264 12	4,248 2	23,121 3	10,081 0	118,714 17	-	11
York, North Riding	91,984 14	68,861 1	2,999 6	12,915 3	7,888 6	92,663 16	-	9
York, West Riding	310,411 6	226,425 0	9,962 18	36,249 1	39,675 0	312,311 19	-	10
Totals of England	7,029,432 0	5,260,086 18	191,451 19	667,745 15	908,418 4	7,027,732 16	-	13
WALES.								
Anglesey	20,093 17	15,050 10	1,052 9	1,895 6	2,002 12	20,000 17	-	3
Brecon	23,110 5	16,575 9	581 2	3,345 17	1,638 15	22,141 3	-	13
Cardigan	21,642 10	17,244 19	716 15	1,796 15	1,904 13	21,663 2	-	7
Carmarthen	40,032 4	31,714 19	1,465 14	3,708 19	2,594 8	39,484 0	-	6
Carnarvon	25,860 5	19,077 10	1,081 8	3,166 2	2,148 15	25,473 15	-	5
Denbigh	41,938 8	31,448 6	832 4	4,966 0	2,980 15	41,447 5	-	4
Flint	24,215 12	17,477 4	1,169 10	3,276 16	2,441 19	24,365 9	-	11
Glamorgan	46,953 18	36,724 17	1,336 11	4,802 15	4,228 12	47,092 15	-	9
Merioneth	17,188 4	14,216 7	341 13	1,528 7	890 0	16,976 7	-	5
Montgomery	40,503 13	31,945 2	883 8	4,952 3	2,162 13	39,943 6	-	7
Pembroke	29,345 3	23,118 14	1,300 14	2,623 16	2,326 18	29,370 2	-	10
Radnor	14,386 13	11,516 17	313 17	1,902 13	1,903 10	14,326 17	-	12
Totals of Wales	344,375 1	266,330 14	11,075 5	37,965 9	26,913 10	342,284 18	-	7
Totals of England and Wales	7,373,807 1	5,526,417 12	202,527 4	705,711 4	935,361 14	7,370,017 14	-	13

* These calculations refer to the sums expended for the relief of the poor only.

For Abstract of Returns for 1836, see p. 654.

The following comparison of the last two years with the expenditure of 1833-4 is drawn up from the same returns, and forms part of the appendix to the General Annual Report of the Commissioners for 1836.

An Account showing the Amount of Money expended for the Relief of the land and Wales, during the Years ended 25th March, 1834, 1835, and 1836 with the Year 1834, and the Rate per Head of Expenditure in each of those Purposes other than the Relief of the Poor, in the Years ended 25th March, Year, and the Total Amount of the Three Heads of Expenditure in the Years 1836.

Counties.	Population in 1831.	Expended for Relief of the Poor, in the Years ended 25th of March,			Decrease in 1835, compared with 1834.	Decrease in 1836, compared with 1834.	Decrease per Cent. in 1835, compared with 1834.	Decrease per Cent. in 1836, compared with 1834.	Expenditure per Head (with reference to Population of 1831), Years ended 25th of March,					
		1834.	1835.	1836.					1834.		1835.		1836.	
		L.	L.	L.	L.	L.			s.	d.	s.	d.	s.	d.
Bedford	95,483	77,819	66,446	46,524	11,373	31,295	15	40	16	4	13	11	9	9
Berks	145,389	100,183	86,435	65,343	13,748	34,840	14	35	13	9	11	11	9	0
Buckingham	146,529	124,200	106,100	74,436	18,100	49,764	15	40	16	11	14	6	10	2
Cambridge	143,955	96,197	86,454	74,808	10,043	21,689	10	22	13	5	12	0	10	5
Chester	334,397	92,040	81,211	73,294	11,429	18,746	12	20	5	6	4	10	4	5
Cornwall	300,938	93,037	84,535	74,856	8,502	18,181	9	20	6	2	5	7	5	0
Cumberland	169,681	43,067	38,966	34,883	4,101	8,184	10	19	5	1	4	7	4	1
Derby	237,170	72,721	62,886	55,018	9,835	17,703	14	24	6	2	5	4	4	8
Devon	494,478	210,825	189,917	172,406	20,908	38,419	10	18	8	6	7	8	7	0
Dorset	159,252	84,293	76,091	68,019	8,202	16,274	10	19	10	7	9	7	8	8
Durham	253,910	79,399	72,197	65,392	7,202	14,007	9	18	6	3	5	8	5	2
Essex	317,597	239,916	210,446	185,395	29,000	54,551	12	23	15	1	13	3	11	8
Gloucester	387,019	161,449	130,156	116,185	31,293	45,264	19	28	8	4	6	9	6	0
Hereford	111,211	56,683	48,033	42,195	8,650	14,488	15	26	10	2	9	6	7	7
Hertford	145,341	83,799	70,998	59,369	14,801	26,430	17	31	12	0	9	11	8	3
Huntingdon	55,192	35,844	31,255	27,273	4,589	8,571	13	24	13	6	11	9	10	3
Kent	479,155	343,878	297,098	247,930	46,780	95,948	14	28	14	3	12	5	10	4
Lancaster	1,336,854	255,405	222,059	193,854	31,346	59,551	12	24	3	9	3	4	2	11
Leicester	197,003	100,857	83,987	70,077	16,870	30,780	17	31	10	3	8	6	7	1
Lincoln	317,465	161,074	146,058	131,685	15,016	29,389	9	18	10	2	9	2	8	4
Middlesex	1,358,330	582,412	483,042	408,027	99,370	174,385	17	30	8	7	7	1	6	0
Monmouth	98,130	27,626	25,805	22,377	3,821	5,249	14	19	5	8	4	10	4	7
Norfolk	390,054	306,787	273,425	230,762	33,362	76,025	11	25	15	9	14	0	11	10
Northampton	179,336	140,179	118,842	91,901	21,337	48,278	15	34	15	8	13	3	10	3
Northumberland	222,912	71,933	68,405	62,800	3,528	9,133	5	13	6	6	6	2	5	8
Nottingham	225,347	96,030	85,189	70,566	10,848	15,664	16	24	8	10	7	6	6	6
Oxford	152,156	120,616	106,640	77,322	13,976	43,294	12	36	15	10	14	0	10	2
Rutland	19,385	9,008	8,184	7,510	824	1,498	9	17	9	4	8	5	7	9
Salop	222,958	82,493	73,039	64,003	9,454	18,490	11	22	7	5	6	7	5	9
Somerset	401,200	176,286	154,443	140,442	21,843	35,844	12	20	8	9	7	8	6	11
Southampton	314,280	205,466	174,418	141,934	29,048	61,532	14	30	12	11	11	1	9	0
Stafford	410,512	120,512	104,245	92,176	16,267	28,336	13	24	5	10	5	1	4	6
Suffolk	296,317	245,580	224,094	187,896	21,415	57,613	9	23	16	7	15	2	12	8
Surrey	486,334	261,501	225,120	187,279	36,381	74,222	14	28	10	9	9	3	7	8
Sussex	272,340	216,626	210,701	161,589	35,925	85,037	15	34	18	1	15	6	11	10
Warwick	336,610	158,159	138,629	116,404	19,530	41,755	12	26	9	5	8	3	6	11
Westmorland	55,041	22,283	20,057	18,019	2,226	4,264	10	19	8	1	7	3	6	7
Wilts	240,156	173,925	161,449	133,472	12,476	40,453	7	23	14	6	13	5	11	1
Worcester	211,365	81,612	68,887	58,788	12,725	22,824	16	28	7	9	6	6	5	7
York, East Riding	204,353	91,111	81,265	70,446	9,846	20,665	11	23	8	11	7	10	6	11
North Riding	190,756	75,810	68,861	61,659	6,949	14,151	9	19	7	11	7	3	6	6
West Riding	976,350	251,821	226,425	197,386	25,396	54,435	10	22	5	2	4	8	4	1
Totals of England	13,091,905	6,029,371	5,260,086	4,462,080	769,285	1,567,291	13	26	9	3	8	0	6	10
WALES.														
Anglesey	48,325	15,542	15,051	15,038	491	504	3	3	6	5	6	3	6	3
Brecon	47,763	18,974	16,575	15,167	2,399	3,807	13	20	7	11	6	11	6	4
Cardigan	64,780	18,625	17,245	17,093	1,380	1,532	7	8	5	9	5	4	5	3
Carmarthen	100,710	33,755	31,715	31,829	2,040	1,926	6	6	6	8	6	4	6	4
Caernarvon	66,448	20,136	19,077	19,294	1,059	842	5	4	6	1	5	9	5	10
Denbigh	83,629	33,136	31,668	30,204	1,468	2,932	4	9	7	11	7	7	7	3
Flint	60,012	19,566	17,477	16,080	2,089	3,486	11	18	6	6	5	10	5	4
Glamorgan	126,542	40,306	34,725	34,364	5,581	5,942	9	15	6	4	5	10	5	5
Merioneth	35,315	14,977	14,216	13,874	761	1,103	5	7	8	6	8	1	7	10
Montgomery	66,482	34,201	31,945	29,443	2,256	4,758	7	14	10	3	9	7	8	10
Pembroke	81,425	25,593	23,119	22,580	2,474	3,013	10	12	6	3	5	8	5	7
Radnor	24,651	13,072	11,517	10,583	1,555	2,489	12	19	10	7	9	4	8	7
Totals of Wales	806,182	287,883	266,330	255,549	21,553	32,354	7	11	7	2	6	7	6	4
Totals of England and Wales	13,897,187	6,317,254	5,526,416	4,717,629	790,838	1,599,625	13	25	9	1	7	11	6	9

* There being no separate head for this item of expenditure in the year ended 25th of March, 1834, a comparison is been shown.

Poor, and in Suits of Law, Removal of Paupers, &c. in each County in England respectively; specifying the Decrease in the Years 1835 and 1836, as compared Years, with reference to the Population in 1831; also the Amount expended for 1835 and 1836; stating the Decrease in the latter as compared with the former ended 25th March, 1834 and 1836, showing the Total Decrease in the Year

Decrease, per Head, in 1836, compared with 1834.	Expended in Suits of Law, Removal of Paupers, &c., Years ended 25th March,		Decrease in 1836, compared with 1834.	Decrease per Cent. in 1836.	Expended for Purposes other than the Relief of the Poor, Years ended 25th March,		Decrease in 1836, compared with 1835.	Decrease per Cent. in 1836.	Total Expenditure for Relief of Poor, Suits of Law, &c., and other Purposes, Years ended 25th March,		Total of Decrease in 1836.
	1834.	1836.			1835.	1836.*			1834.	1836.	
s. d.	£.	£.	£.		£.	£.	£.		£.	£.	£.
0 7	1,866	735	1,131	61	5,864	3,008	2,776	47	85,519	50,347	36,202
0 9	3,458	2,001	1,457	42	11,597	9,700	1,897	16	115,238	77,044	38,194
0 9	3,140	2,176	964	31	12,513	8,118	4,425	35	139,883	84,730	55,153
0 0	3,427	2,413	1,014	30	10,561	8,273	2,288	22	110,185	85,494	24,991
0 1	8,570	4,777	3,793	44	17,229	16,461	768	4	118,139	93,132	25,307
0 2	4,185	3,235	949	23	11,914	11,644	270	2	109,133	89,733	19,400
0 0	2,516	1,855	661	29	5,150	4,508	642	12	50,513	41,046	9,467
0 6	4,163	2,982	1,181	28	13,818	1,130	1,988	14	90,702	69,830	20,872
0 6	7,507	6,108	1,399	19	18,052	16,390	1,662	9	236,384	191,901	41,480
0 11	2,635	1,798	837	32	6,999	6,930	69	1	93,927	76,747	17,180
0 1	5,245	3,735	1,510	29	9,167	8,345	822	9	93,811	77,472	16,339
0 5	6,898	5,444	1,454	21	23,716	20,700	3,016	13	270,560	211,539	59,021
0 4	7,064	4,389	2,675	38	21,631	19,522	2,112	10	180,147	140,096	40,051
0 7	2,245	1,702	543	24	5,181	5,358	163	3	64,409	49,255	15,154
0 9	2,057	1,402	655	32	12,187	7,559	4,628	38	100,043	68,330	31,713
0 3	1,146	1,064	82	7	3,968	3,245	723	18	40,958	31,582	9,376
0 11	16,340	9,381	6,956	39	47,743	40,127	7,616	16	406,961	297,441	109,520
0 10	15,776	9,505	6,271	40	64,888	60,521	4,367	7	334,069	265,880	70,189
0 2	5,472	3,771	1,701	31	12,091	10,514	1,577	13	118,420	84,362	34,058
1 10	8,674	7,646	1,028	12	25,856	23,857	1,999	8	195,604	163,188	32,416
2 7	20,427	12,335	8,092	40	187,015	174,174	12,871	7	789,884	594,536	195,348
1 1	2,557	1,021	1,536	60	2,866	2,472	394	13	33,039	25,870	7,169
3 11	9,535	6,697	2,838	30	29,322	25,844	3,478	12	348,644	265,303	82,341
5 5	3,311	2,006	1,305	39	13,123	10,440	2,683	20	156,613	104,347	52,266
0 10	4,651	3,039	1,612	35	6,776	6,411	365	5	83,410	72,250	11,160
1 4	3,980	2,823	1,155	29	13,824	13,045	779	6	85,834	66,236	17,598
5 8	4,441	1,823	2,618	59	11,695	7,167	4,528	39	136,752	86,312	50,440
1 7	237	83	154	65	1,959	1,504	455	23	11,204	9,243	1,961
1 8	4,082	2,666	1,416	35	7,967	6,505	961	13	93,842	72,972	20,870
1 10	6,710	4,957	1,753	26	21,080	20,219	861	4	201,076	165,618	38,458
3 11	6,516	3,501	3,012	46	22,251	18,485	3,766	17	232,263	163,923	68,340
1 4	6,894	4,646	2,248	33	20,829	18,728	2,101	10	148,235	115,550	32,685
3 11	7,746	5,722	2,024	26	19,775	15,885	3,890	20	273,030	209,503	63,527
3 1	8,862	4,538	4,324	49	71,021	59,927	11,094	16	341,384	251,744	89,640
6 3	7,873	4,732	3,141	40	30,937	24,777	6,160	20	283,436	191,098	94,338
21 6	5,935	4,684	1,251	21	22,992	18,487	3,505	16	186,186	136,575	46,611
1 6	510	465	45	9	2,037	1,839	198	10	24,830	20,323	4,507
3 5	3,587	2,677	910	25	15,888	13,672	2,216	14	193,400	149,821	43,579
2 2	3,781	2,242	1,539	41	10,589	10,441	148	1	93,982	71,471	21,511
2 0	4,019	3,250	769	20	10,081	9,515	566	6	105,241	83,211	22,030
1 5	3,015	2,607	408	14	7,888	7,620	268	3	86,713	71,866	14,847
1 1	13,436	9,997	3,439	26	39,675	34,737	4,888	12	301,932	242,170	62,762
2 5	243,346	162,582	80,764	33	908,448	798,432	110,016	12	7,181,165	5,423,094	1,758,071
0 2	1,441	1,095	346	24	2,903	1,760	243	12	18,986	17,893	1,093
0 7	737	608	129	18	1,639	1,405	234	14	21,350	17,180	4,170
0 6	688	687	1	-	1,905	1,771	134	7	21,218	19,551	1,667
0 4	3,850	1,295	555	30	2,594	2,420	174	7	38,199	35,544	2,655
0 3	1,567	906	461	34	2,149	1,987	162	8	23,652	22,187	1,465
0 8	1,440	858	582	40	3,981	3,590	391	10	38,557	34,652	3,905
1 2	1,853	808	1,045	56	2,442	2,313	129	5	23,861	19,201	4,660
0 11	1,939	919	990	51	4,228	3,641	587	14	46,473	38,954	7,519
0 8	708	276	432	61	890	883	7	1	16,725	15,033	1,692
1 5	1,315	680	635	48	2,162	2,102	60	3	37,678	32,225	5,453
0 3	1,144	1,302	142	10	2,327	2,321	6	-	29,364	26,206	3,158
2 0	476	385	91	19	593	584	9	2	14,141	11,552	2,589
0 10	15,258	9,849	5,409	35	26,913	24,780	2,133	8	350,054	290,178	59,876
2 4	258,604	172,431	86,173	33	935,361	823,212	112,149	12	7,531,219	5,713,272	1,797,947

necessarily made with the year ended 25th of March, 1835; or, it is presumed, a larger amount of decrease would have

Abstract of Returns, showing the Amount of Money levied by Assessment for Poor's Rate and County Rate in each County in England and Wales, in the Year ended 25th March, 1836; also the Amount of Money expended in the same Period; distinguishing the Payments made for the Relief of the Poor, the Sums expended in Suits of Law, Removal of Paupers, &c., the Sums expended in County Rate, and the Sums expended for all other Purposes; specifying the Rate of Increase or Decrease in each Year, as compared with the Year preceding.

Year ended 25th of March, 1836.									
Counties.	Total of Money levied.	Expended for the Relief of the Poor.	Expended in Suits of Law, in Removals, &c.	Payments for or towards the County Rate.	Expended for all other Purposes.	Total of Parochial Rates expended.	Increase per Cent.	Decrease per Cent.
	£. s.	£. s.	£. s.	£. s.	£. s.	£. s.		
Bedford	56,071 2	46,524 9	734 11	3,968 19	3,088 4	54,046 3	-	30
Berks	86,120 7	65,342 12	2,001 6	5,680 11	9,699 16	82,724 5	-	24
Buckingham	94,298 6	74,436 2	2,175 11	7,602 12	8,118 6	92,332 11	-	30
Cambridge	95,805 14	74,808 4	2,413 0	9,072 6	8,273 0	94,566 10	-	13
Chester	118,970 10	75,894 0	4,776 18	25,874 11	16,460 18	121,006 7	-	9
Cornwall	98,846 10	74,856 3	3,253 1	7,320 8	11,644 2	97,053 14	-	11
Cumberland	46,811 1	34,883 7	1,655 6	5,935 8	4,507 14	46,981 15	-	10
Derby	80,578 17	55,018 1	2,981 17	11,368 3	11,329 14	81,197 15	-	13
Devon	212,691 2	172,405 16	6,108 2	15,149 9	16,390 4	210,053 11	-	9
Dorset	82,148 12	68,019 7	1,797 16	6,528 19	6,930 5	83,276 7	-	11
Durham	87,972 1	65,391 10	3,755 0	7,614 10	8,345 0	85,086 0	-	9
Essex	228,811 19	185,394 17	5,444 9	17,470 10	20,700 7	229,010 3	-	12
Gloucester	162,392 5	116,184 13	4,389 2	18,164 13	19,521 16	158,260 4	-	11
Hereford	52,121 16	42,196 7	1,701 11	3,530 8	5,358 4	52,794 10	-	12
Hertford	77,749 12	59,368 17	1,402 8	8,053 19	7,558 18	76,384 2	-	16
Huntingdon	35,757 15	27,275 4	1,064 9	4,548 6	3,244 16	35,930 15	-	13
Kent	315,669 7	247,929 12	9,383 16	22,933 12	40,127 1	320,374 1	-	17
Lancaster	331,740 7	195,854 8	9,504 14	71,854 13	60,520 13	335,734 8	-	13
Leicester	97,019 5	70,077 1	3,771 2	15,760 19	10,513 16	100,122 18	-	17
Lincoln	188,264 4	131,684 13	7,645 16	25,279 8	23,856 15	186,466 12	-	10
Middlesex	641,578 15	408,027 9	12,395 1	66,154 6	174,174 1	660,690 17	-	16
Monmouth	31,191 12	22,376 16	1,020 12	4,971 11	2,471 11	31,853 16	-	6
Norfolk	275,951 18	230,761 18	6,697 1	16,429 16	25,844 7	279,733 2	-	16
Northampton	112,531 12	91,909 18	2,006 4	7,658 8	10,439 11	112,005 1	-	23
Northumberland	81,402 16	62,800 1	3,038 10	10,152 16	6,410 9	82,401 16	-	8
Nottingham	84,791 10	50,366 2	2,825 2	20,276 7	13,045 2	86,512 13	-	9
Oxford	95,547 10	77,322 7	1,823 4	9,144 16	7,167 2	95,457 9	-	27
Rutland	10,282 13	7,309 19	229 12	889 18	1,504 4	10,133 13	-	8
Salop	83,831 14	64,005 0	2,666 9	10,008 14	6,303 2	82,981 5	-	12
Somerset	177,633 14	140,451 19	4,956 15	16,096 9	20,218 16	181,715 19	-	9
Southampton	177,547 2	141,933 11	3,504 9	14,061 12	18,485 7	177,984 19	-	19
Stafford	128,004 8	92,175 15	4,646 1	14,984 12	18,727 15	130,534 3	-	12
Suffolk	224,961 8	187,896 4	5,721 13	19,911 0	15,885 4	229,414 1	-	16
Surrey	270,599 6	187,278 12	4,537 15	27,801 6	59,926 18	279,544 11	-	17
Sussex	199,424 1	161,589 0	4,732 8	14,236 2	24,777 2	205,354 12	-	23
Warwick	146,092 11	116,403 14	4,684 0	16,688 15	18,487 9	156,265 18	-	16
Westmorland	25,503 19	18,019 5	464 17	4,912 9	1,839 6	25,235 17	-	10
Wilts	161,967 8	133,472 0	2,676 11	13,434 3	13,672 6	163,255 0	-	17
Worcester	84,687 19	58,788 9	2,242 10	13,131 17	10,440 15	84,603 11	-	15
York, East Riding	99,953 8	70,446 9	3,250 4	16,187 12	9,515 6	99,399 11	-	13
York, North Riding	83,868 16	61,638 18	2,606 12	11,285 19	7,620 10	83,151 19	-	10
York, West Riding	282,364 1	197,385 13	9,997 2	40,993 8	34,787 7	283,163 10	-	13
Totals of England	6,025,328 14	4,462,080 2	162,582 10	661,676 3	798,432 19	6,084,771 14	-	15
WALES.								
Anglesey	19,577 15	15,038 1	1,095 7	1,920 5	1,759 16	19,813 9	-	0
Brecon	20,035 15	15,166 19	607 15	3,011 7	1,405 0	20,191 1	-	8
Cardigan	21,792 9	17,092 13	687 1	1,959 15	1,770 14	21,510 3	-	1
Carmarthen	40,881 1	31,822 3	1,295 2	4,817 17	2,419 19	40,362 1	-	0
Carnarvon	25,178 19	19,294 1	905 15	2,393 6	1,986 17	24,581 19	1	0
Denbigh	39,461 19	30,203 11	857 12	4,532 7	3,590 12	39,184 2	-	5
Flint	21,935 13	16,080 5	807 13	3,125 13	2,312 15	22,326 4	-	8
Glamorgan	43,363 10	34,364 0	948 17	4,986 3	3,641 5	43,940 5	-	6
Merioneth	16,458 17	13,874 4	276 4	1,077 10	883 2	16,111 0	-	2
Montgomery	37,412 11	29,143 1	680 3	4,946 14	2,101 14	37,171 12	-	8
Pembroke	29,285 14	22,880 3	1,302 6	3,153 14	2,324 5	29,340 8	-	2
Radnor	13,824 18	10,583 13	585 12	2,262 6	584 1	13,815 12	-	8
Totals of Wales	329,209 1	255,549 12	9,349 7	38,168 17	24,780 0	328,347 16	-	4
Totals of England and Wales	6,354,537 15	4,717,629 14	172,431 17	699,845 0	823,212 19	6,413,119 10	-	15

The following table, taken from Mr. Porter's *Progress of the Nation*, p. 82, as regards the years 1801 to 1834*, and calculated for this work for the preceding period, and for the two last years, will afford a means of comparing the present expenditure with the past, at the same time that it shows the progress of pauperism before the introduction of the present system.

* It should be observed that the calculation, for the years 1801 to 1834 appear to be to a considerable degree incorrect, inasmuch as the years for which the returns of the price of wheat is made end on the 31st of December in each year, while the

Years.	Sums expended for Relief of the Poor.	Population of England and Wales.*	Average price of Wheat per Quarter.	Number of Quarters of Wheat for which the Money could have been exchanged.
Average years.	£.		s. d.	
1748, 1749, 1750.	689,971	- -	27 11	494,308
1775, 1776.	1,530,800	- -	46 0	680,356
Average years.				
1783, 1784, 1785.	2,004,239	- -	46 6	862,038
1801	4,017,871	8,872,980	116 11	693,254
1803	4,077,891	9,148,314	57 1	1,428,761
1813	6,656,105	10,163,676	92 6	1,440,155
1814	6,291,581	10,375,034	72 1	1,746,474
1815	5,418,816	10,979,157	63 8	1,702,255
1816	5,721,839	11,160,557	76 2	1,503,210
1817	6,910,925	11,349,750	94 0	1,470,109
1818	7,870,801	11,524,389	83 8	1,881,466
1819	5,516,704	11,700,965	72 3	2,050,718
1820	7,330,256	11,893,155	65 10	2,226,913
1821	6,959,249	11,078,476	54 6	2,557,763
1822	6,358,702	12,313,810	43 3	2,910,410
1823	5,772,958	12,508,956	51 9	2,231,094
1824	5,736,498	12,699,098	62 0	1,850,612
1825	5,786,989	12,881,906	66 6	1,740,147
1826	5,928,501	13,056,931	56 11	2,083,221
1827	6,441,088	13,242,019	56 9	2,269,987
1828	6,298,000	13,441,915	60 6	2,081,855
1829	6,332,110	13,620,701	66 3	1,911,671
1830	6,829,912	13,811,467	64 3	2,125,772
1831	6,798,888	13,897,187	66 4	2,019,916
1832	7,036,968	14,105,616	58 8	2,398,966
1833	6,790,799	14,317,229	52 11	2,566,601
1834	6,317,255	14,531,957	46 2	2,736,717
1835	5,926,418		46 2	2,564,116
1836	4,717,630		39 4	2,398,796

* The numbers given in this column for the years 1801, 1811, 1821, and 1831 are those ascertained at the enumerations of those years: those stated for the intermediate and for subsequent years are computed from the baptisms and burials, and from the rate of increase, as ascertained at each census.

Account of Monies levied for Poor's Rates and County Rates in England and Wales; of the Payments thereout for other Purposes than the Relief of the Poor, at all the several Periods for which Returns have been required by Parliament; also the Average Price of Wheat at every such Period, and the Amount of Population.

Years.	Total Sum levied for Poor's Rates and County Rates.	Payments thereout for other Purposes than the Relief of the Poor.	Expended in Law Removals and similar Incidents.	Expended for the Relief of the Poor.	Total Expenditure.	Average Price of Wheat per Quarter. By the Winchester Bushel of Eight Galls.	Average Price of Wheat per Quarter. By the Imperial Bushel of Eight Galls.	Population.
(Average.)	£.	£.	£.	£.	£.	s. d.	s. d.	£.
1748-49-50	730,135	40,164	- -	689,971	730,135	1 7 11	- -	6,467,000
1775-76	1,720,316	137,072	35,072	1,530,800	1,703,528	2 5 0	- -	7,690,000
(Average.)								
1783-84-85	2,167,749	163,511	91,998	2,004,239	2,259,748	2 6 6	- -	8,260,000
(Average.)								
1801-02-03	5,348,205	1,031,105	190,072	4,077,891	5,302,068	3 4 8	- -	9,000,000
1812-13	8,646,841	1,860,747	324,957	6,656,105	8,841,410	6 5 5	- -	10,284,000
1813-14	8,388,974	1,850,817	332,663	6,291,581	8,508,061	5 8 9		
1814-15	7,457,676	1,762,106	324,596	5,418,816	7,505,518	3 13 11		
1815-16	6,937,125	1,214,071	- -	5,721,839	6,938,910	3 4 4		
1816-17	8,128,118	1,210,720	- -	6,910,925	8,121,645	3 15 10		
1817-18	9,329,140	1,432,332	- -	7,870,801	9,303,133	4 14 9		
1818-19	8,932,185	1,408,905	- -	7,516,701	8,925,609	4 4 1		
1819-20	8,719,655	1,312,658	- -	7,330,254	8,672,912	3 13 0		
1820-21	8,411,893	1,376,868	- -	6,959,251	8,335,119	3 5 7	- -	} 11,978,000
1821-22	7,761,441	1,336,833	- -	6,358,702	7,695,237	2 14 5	- -	
1822-23	6,898,153	1,148,230	- -	5,772,958	6,921,192	2 3 3		
1823-24	6,836,305	1,137,598	- -	5,736,900	6,874,498	2 11 9		
1824-25	6,972,323	1,213,199	- -	5,786,989	6,999,188	3 2 0		
1825-26	6,965,051	1,216,145	- -	5,928,505	7,144,650	3 6 0		
1826-27	7,784,351	1,369,377	- -	6,441,089	7,803,466	- -	2 18 9	
1827-28	7,715,065	1,372,433	- -	6,298,003	7,670,436	- -	2 16 9	
1828-29	7,642,171	1,280,328	- -	6,332,411	7,612,739	- -	3 0 6	
1829-30	- -	- -	- -	6,829,012	- -	- -	3 6 3	
1830-31	8,229,218	1,430,198	- -	6,798,888	8,339,087	- -	3 4 4	} 13,894,000
1831-32	8,622,990	1,646,493	- -	7,036,969	8,685,161	- -	3 6 4	
1832-33	8,606,501	- -	- -	6,790,799	8,739,881	- -	2 18 8	
1833-34	8,335,079	1,713,489	358,601	6,317,255	- -	- -	2 12 11	

years in which the returns of the poor rates end is on the 25th of March. Thus, for instance, the year 1834, for which the corn return is made, includes only January, February, and 25 days in March of the year 1833-4, for which the poor-rate return is made; while it contains more than 9 months of the year for which the poor-rate returns 1834-5 are made. It is clear, therefore, that a greater approach to accuracy would be obtained by taking the return of corn for 1834, with the return of poor rates for 1835, as the periods in this case would be identical for nine months, whereas, in the above table for the years 1801 to 1834, they are only identical for three months.

Counties.	Number of Paupers relieved.			Workhouses.			Estimated Annual Expenditure.	Average Annual Expenditure, 1853-4-5.	Saving		Number of Unions.
	In-door.	Out-door.	Total.	Old.	New.	Room for			On Annual Average Expenditure.	Rate per Cent. on	
							L.		L.		
Northampton	244	6,853	7,097	13	3	1,673	31,629	77,505	45,876	59	7
Oxford - -	113	3,221	3,334	7	2	900	18,201	45,556	27,355	58½	3
Bucks - -	295	2,407	2,702	8	-	415	16,417	36,516	20,099	55	3
Suffolk -	665	7,771	8,436	39	1	3,544	62,766	141,056	78,290	55½	7
Kent - -	1,466	14,795	16,261	30	11	7,655	74,021	165,229	91,208	55	15
Berks - -	878	6,474	7,352	22	5	3,812	54,989	114,820	59,831	52	10
Bedford -	682	5,792	6,474	18	6	2,575	42,427	83,532	41,105	49	6
Dorset - -	82	837	919	1	1	310	8,969	17,290	8,321	47	3
Herts - -	1,062	3,635	4,697	25	3	2,495	36,066	67,059	30,993	46	9
Sussex -	2,199	10,022	12,221	52	3	5,140	110,102	198,639	88,537	44½	18
Essex - -	348	3,371	3,719	24	1	1,675	43,333	77,669	34,336	44	6
Wilts - -	351	4,505	4,856	7	-	730	29,069	51,140	22,451	45	6
Hants - -	1,506	12,816	14,322	42	6	4,180	83,081	136,296	53,215	39	20
Gloucester -	256	2,120	2,376	7	-	440	11,582	19,096	7,514	39	4
Cambridge -	93	2,439	2,532	4	2	420	16,722	27,164	10,442	39	3
Totals -	10,220	87,058	97,278	297	44	36,274	639,344	1,258,867	619,553	49	120

SECT. II. *Scotch Poor Laws.*

The laws relating to the support of the poor in Scotland, originated, like those in most other countries, in attempts to check the prevalence of mendicity. The earliest act of the Scotch parliament, having reference to the poor, was passed in 1424. It prohibits all persons from begging between the ages of fourteen and seventy, who should not be furnished with a pass from the proper authorities; and it further orders all other poor persons to betake themselves to some species of useful industry, under penalty of burning on the cheek and banishment. The provisions of this act were reinforced by succeeding statutes (1503, cap. 70, 1535, cap. 22); but from 1424 down to 1579, the *impotent poor* had no legal claim to any sort of relief, except that of authorised mendicity; and if the claims of the *able-bodied* poor to relief during this period were brought under discussion, they certainly were not recognised.

In 1579, the Scotch parliament passed the celebrated statute, 12 Jac. VI., cap. 74, which forms the basis of the existing code of poor laws. This statute is, in several parts, literally copied from an English statute, the 14th of Elizabeth, cap. 5, passed about seven years previously. It introduced, for the first time, the principle of compulsory assessment into Scotland; but with the important limitation, that it confines all legal title to relief to poor, aged, and impotent persons; while it directs that all "idle and lazy vagabonds," including all "common labourers, being *personnes abile in body*, living idle, and fleeing labour," shall be punished as vagrants and vagabonds, and that a fine shall be imposed on every one harbouring such persons, or giving them alms. There is not a word said in the statute about providing work for any unemployed person, though this forms a prominent topic in the English act of the 14th of Elizabeth; and it seems plainly to have been intended to provide merely for the support of such poor impotent persons as had previously been without any means of subsistence, other than what they derived from begging. Besides its directions as to the treatment of vagabonds and sturdy beggars, it prescribes the proceedings to be adopted with respect to runaway servants, the mode of passing soldiers and seamen to their respective parishes, the regulation of hospitals, the mode of taxing (stenting) the inhabitants for the objects of the act, the appointment of overseers, collectors, &c.

Some of the later Scotch acts, and some of the proclamations that were issued in the reign of William III., contain provisions that have been supposed by some to require that work should be provided for the able-bodied poor. But any such interpretation is plainly inconsistent with the principles laid down in the statute of 1579. "The statutes referred to," says

Mr. Monypenny, "sufficiently establish that the impotent poor, who are to be enrolled in the parish lists, in order that their wants may be regularly supplied, and for whom an assessment must, if necessary, be imposed, are only such as are *disabled from procuring a living by their own labour*, either by old age, or by some permanent bodily infirmity, or mental incapacity, and who have neither separate means, nor any relations who are bound and able to support them. The whole tenor and declared object of the statutes concur with the particular expressions now pointed out, in proving that such is the prescribed and limited operation of the Scotch poor laws. It is scarcely necessary to remark, that no countenance is given to the idea that, in any case whatever, the wages of labour may be made up out of the poor rates. All such difficulties, whenever they occur in the country, must be surmounted by other expedients." — (See *Monypenny's* (late Judge of the Court of Session) *Treatise on the Scotch Poor Laws*, p. 27.)

The fundamental principle thus briefly explained has led, in practice, to the important distinction that exists in Scotland between the *regular* and the *occasional* poor. "Those of the first class," to use the words of the late Rev. Sir H. Moncreiff, "receive a constant supply from the parish funds; those of the second are only assisted when they are laid aside from work, by sickness or accidental causes, and especially during that season of the year which chiefly affects their health, or suspends their usual labours. They receive at that time such assistance as their immediate necessities demand, for the limited period when they are in this situation; but when the cause which occasioned the demand ceases to operate, the parish assistance is withdrawn, and they return to their labour, under a conviction, which they never relinquish, that both their subsistence and their comfort must ultimately depend on their personal industry."

At present it may be laid down as clear law, that the occasional poor cannot insist on being supported by compulsory means. A measure of this sort, being of the nature of a tax, must not be resorted to without the authority of parliament; and the existing statutory assessment "is confined to the case of the enrolled poor, whose wants are of a permanent description."

It must, indeed, be admitted, that there is a decision of the Court of Session in opposition to this doctrine. In 1804, certain able-bodied individuals, perfectly competent to earn a subsistence by labour, but who were involved, by accidental circumstances, in temporary distress, applied for relief to the heritors (proprietors) and kirk-session of the parish to which they belonged. A majority agreed to relieve their wants by an extraordinary assessment; but the minority appealed to the Court of Session against this decision, — contending that the heritors and session had no power to make an assessment for such a purpose. The Court overruled the objection, but only by the narrowest majority, some of the ablest judges being at the same time in the minority. The question has not been agitated since, which shows that the practice has made no way; and it seems now to be the concurrent opinion of those best entitled to decide upon such a point, that if a case of the same sort were again brought before the Court, the former decision would not be repeated.

Having thus ascertained the class of persons entitled to support from the poor's funds, we have next to inquire into the amount of the provision allowed to each. This, though an important point, will not detain us long.

A great deal of the abuse of the poor laws of England has originated in the too lavish allowances made to paupers, which, indeed, have been often such as to place them in a decidedly better situation than independent labourers. But such abuses are unknown in Scotland. The statute of 1579, ordered that "inquisition," or inquiry, should be made into the circumstances of every poor person claiming relief, to learn how much would enable him or her to "*live unbeggand.*" An inquiry of this sort into the means and con-

dition of each individual claiming relief, has always been rigorously enforced; and this, whether the relief sought for were to be made through an assessment, or from the sums collected at the church doors, and other voluntary sources. The object in view has uniformly been so to eke out or assist the separate means of the pauper, supposing he has any, that he may not be reduced to the necessity of begging. And it is really astonishing what a small pittance is in general sufficient for this purpose; sometimes not more than a few shillings a year being required, and rarely more than 3*l.* or 4*l.* In fact, it does not often happen in Scotland, that *total maintenance* is supplied to any pauper, unless he be a lunatic, or blind, or has been all his life absolutely impotent, and is without relations able to render him any support. The parish funds are not destined to supplant, but to aid individual means and charity; and the allowance, even when largest, is always regulated by the low standard specified above.

The grand difference between the poor laws of Scotland and England, consists in the different parties to whom the administration of the affairs of the poor is intrusted.

The execution of the act of 1579, in country parishes, was committed to those who should be constituted justices of the peace, there not being any such functionaries at that time in Scotland. In consequence, it became necessary to provide other instruments for carrying its provisions into effect; which was done by the acts of 1592, cap. 149, 1600, cap. 19, and 1663, cap. 16. By these acts, the management of all matters relating to the poor of country parishes — such as the imposing of assessments, the admitting of claimants to the roll, the distribution of collections, &c. — is committed jointly to the heritors and kirk-sessions in country parishes, and to the magistrates in royal burghs. Some doubts that had occurred as to the limits and legal extent of the control that may be exercised by the landlords over the proceedings of the kirk-sessions, were finally put to rest by a decision of the Court of Session in 1751, in the case of the parish of Humbie. The Court decided (we quote the words of the judgment) "that the heritors have a joint right and power with the kirk-session, in the administration, management, and distribution of all and every of the funds belonging to the poor of the parish, as well collections, as sums mortified (placed in mortmain) for the use of the poor, and lent out upon interest; and have a right to be present and join with the session in their administration, distribution, and employment of such sums; without prejudice to the kirk-session to proceed in the ordinary acts of administration, and application of these collections to the ordinary and incidental charities, though the heritors be not present, nor attend." The judgment farther declared, "that when any acts of extraordinary administration, such as uplifting money that hath been lent out, or lending or re-employing the same, shall occur, the minister ought to intimate from the pulpit a meeting for taking such matters into consideration, at least ten days before holding of the meeting, that the heritors may have opportunity to be present and assist, if they think fit." And, in a case tried in the next year (1752), it was ruled, that *any single heritor* has right to call the kirk-session to account for their administration of the poor's money. In consequence of these acts and decisions, every thing respecting the administration of the poor's funds in Scotland has been entrusted to those best acquainted with the real wants and situations of the claimants for relief, and who have, at the same time, the strongest motives for confining the charge, on their account, within the narrowest limits. A kirk-session is a sort of ecclesiastical tribunal, established in every parish. Its members are invariably selected from the most respectable classes, and in country parishes are, for the most part, either proprietors or farmers; and as Scotch farmers generally hold under leases for nineteen years, and are obliged by law to pay half the assessment on account of the poor, should one

be imposed on their farms, they have precisely the same interest as the landlords in the economical administration of the affairs of the poor, and in obviating the necessity for an assessment.

So much, indeed, are the interests and the feelings of the heritors and kirk-sessions identified, that except on extraordinary occasions, the former rarely interfere in the management of the affairs of the poor, but leave it to the latter to enrol the regular paupers — to fix the weekly, monthly, or quarterly allowances to be paid to each — to administer assistance to the occasional poor, &c. The members of the kirk-sessions act gratuitously, without receiving any fee or reward; and there is no one acquainted with the subject who will not be forward to admit, that they have discharged the important and difficult duties imposed on them with an integrity, zeal, and considerate regard for the interests of all parties, that has never been surpassed, and very seldom equalled, by any set of functionaries.

Owing to the peculiar constitution of the kirk-sessions, appeals from their decisions to the justices and sheriffs have always been rare, and have never met with any encouragement from the Supreme Court. On the contrary, in 1772, this court set aside the judgment of a sheriff, fixing the provision which an applicant for relief was entitled to receive, on the ground "that he had arrogated to himself powers which belonged exclusively to the minister, elders, and heritors of the parish." A decision to the same effect was given in 1779; and, at length, in 1819, it was finally decided, that there is no appeal to any *inferior court* from the decision of the kirk-session and heritors, either *as to the admissibility of a pauper to the roll, or as to the amount of the allowance to be given him.*

In consequence of the skilful and economical management of the kirk-sessions, and of their repugnance to admit improper persons on the roll, or to administer any relief, not required by the exigencies of the case, to the able-bodied poor, the sums collected by voluntary contributions, at the church doors and otherwise, have, in most instances, sufficed for the support of the poor; so that assessments have not been introduced into more than about a third part of the parishes of Scotland. It is worthy, also, of remark, that assessments have, in various instances, after being imposed for a time, been abandoned, and the poor again provided for by voluntary contributions. In Scotland, indeed, it has always been held and acknowledged to be law, that assessments are only to be adopted as a *dernier resort;* and that they ought not to be introduced into any parish in which the poor may be otherwise supported. An assessment is not intended to supersede, but to add to the voluntary contributions of the parishioners; and unless these be insufficient to meet the urgency of the case, it is not to be resorted to.

Dr. Cleland of Glasgow, founding on the statements in a report by a committee of the General Assembly, shows that, in 1820, there were, in Scotland, 44,119 regular paupers; which, taking the population at 2,093,456 (as ascertained by the census of 1821), gives one pauper for every 47⅓ individuals. The total sum received in 1820 for the relief of the Scotch poor, including collections at church doors, assessments, voluntary contributions, &c., was 114,195*l.* 17*s.* 9½*d.*; which, being divided by the number of paupers, we have 2*l.* 11*s.* 8¼*d.* as the average cost of each. The proportion of paupers to the population, and the expense of their maintenance, are generally greater in parishes where there are assessments than where there are none. But this is not by any means always the case. In St. John's parish, Glasgow, for example, where assessments have been relinquished, each pauper cost, in 1830, 3*l.* 8*s.* 10½*d.*; whereas in the Barony parish, in the same city, one of the most populous in Scotland, and having assessments, the cost of paupers was only 3*l.* 6*s.* 11*d.*

In 1830, the population of the city and suburbs of Glasgow was 202,426, while the total number of paupers was 5,006, being at the rate of one in

every 40·43 persons: the total sum expended upon the poor in the same year was 17,281*l.* 18*s.* 0½*d.*, so that each cost, at an average, 3*l.* 9*s.* 0½*d.* Hence, also, it appears that the total expense on account of the poor, to the independent population of the city and suburbs, did not exceed 1*s.* 9*d.* each! — (*Cleland's Statistics of Glasgow*, p. 34—261.)

The other particulars with respect to the Scotch poor laws are of inferior importance. Assessments in country parishes are imposed, half on the landlords, according either to the real or the valued rent of their estates, and half on the other inhabitants; that is, in nine out of ten cases, on the tenants. And hence, as already observed, the latter, owing to the universal habit of holding farms under pretty long leases, are quite as much interested as the landlords in preventing the increase of pauperism.

There has been, at different periods, a good deal of difference of opinion as to whether the parish an individual was connected with by birth or residence should be bound to support him in the event of his becoming a pauper. But it is now finally adjudged, that if an individual reside for three years in a parish, and support himself during that period by his own industry or resources, he acquires a settlement in it, and, consequently, a legal title to support, if he become infirm and destitute. It is worthy of mention, that how much soever opinions may have varied in Scotland, as to what ought to constitute a settlement, no individual in that part of the empire ever so much as dreamed of making the support of the poor a national instead of a parochial burden. Any such change would, indeed, be wholly subversive of all the principles of the Scotch system, and would set wide the flood-gates of pauperism. Mr. Monypenny truly states, that "the erecting each parish into a separate body, or one great family, as it were, independent, in so far as relates to the poor, of any other parish, was an act of the wisest policy, and most unquestioned expediency."

Sect. III. *Provision for the Poor of Ireland.*

The charitable institutions of Ireland have been established either by legislative enactments, or by the exertions of societies or individuals, and are supported in the former case, wholly, or in part, by grants of public money; and in the latter, by voluntary contributions. But, previously to proceeding to the particulars of each of these classes, a summary statement of the laws against vagrancy may be useful. So early as the year 1447, 25th of Hen. VI., an act was passed, directing, "That the sons of husbandmen should not be idle men, but should labour according to their state; or in default, should be subject to a year's imprisonment and a fine." An act of Henry VIII. prohibits gleaners of corn from working out of their own parishes. By a subsequent act of the same reign, vagrancy is punished by whipping, imprisonment, and confinement in the stocks. That these enactments were found inadequate to prevent the practice, appears from the increased severity of punishment imposed on the offence by an act of Anne, confirmed and amended by another of George II., which directs, that all loose, idle vagrants, or pretended Irish gentlemen, who will not work, but wander about demanding victuals, and other loose persons of infamous lives, shall, on the presentment of a grand jury, be transported for seven years, unless they give security for their good behaviour. In the year 1772, an act was passed to establish houses of industry for the double purpose of the punishment of vagrancy, and the relief of distress: the governors of which were vested with powers to imprison vagrants for periods of four years or under, and to inflict corporal punishment. In pursuance of these acts, a house of industry, on a very extensive scale, was maintained in Dublin by parliamentary grants;

and several others in the provinces of Leinster and Munster by grand jury presentments. The compulsory part of the system has been for some time abandoned in the Dublin house of industry, which is now an asylum for the aged, sick, and impotent poor. The punishment of vagrancy by transportation is still the law of the land; and is carried into operation chiefly against persons, who, though acquitted of crime by a petty jury, are of such suspicious character as to prevent their being suffered to go at large without a security for their future good behaviour.

The charitable institutions resting on legislative enactments are, — county infirmaries, fever hospitals, dispensaries, lunatic asylums, houses of industry, receptacles for orphans and destitute and deserted children, and asylums for the aged.

County infirmaries were established under an act passed in 1765, by which the primate, the lord chancellor, the bishop of the diocese, and the rector or vicar of the parish in which an infirmary is thought requisite, are made a perpetual corporation for its erection and support. The qualification for governors, by subscription, is fixed at twenty guineas for life, or three guineas a year: and grand juries are empowered to present to the amount of 100*l.* for the support of the institution. This sum was afterwards increased to 500*l.* Under authority of this and other subsequent acts, infirmaries have been opened in every county except Waterford, in which their establishment has been impeded by a local act, fixing the site of the building in a very inconvenient position.

The first parliamentary grant for the support of a public hospital for the exclusive treatment of fever was made in 1802. The misery occasioned by the occasional failure of the potato crop has rendered the peasantry peculiarly liable to this dreadful visitation. Even the capital has suffered so severely from its infliction, that in one year upwards of 60,000 persons passed through the fever hospitals of that city, out of a population of not more than 240,000. In 1817, a contagious fever spread through most parts of the island; which led to the formation of a general board of health, with a view to check its progress, and prevent its recurrence. It appears from the reports of this board that, on a moderate calculation, one million and a half of persons, out of a population of eight millions, had suffered from fever; of which number at least 65,000 died. Many clergymen of both religious persuasions perished, in consequence of their communication with the sick. In the county of Kerry alone ten Roman Catholic clergymen fell victims to the disease. An act, passed in 1818, gave additional facilities for establishing fever hospitals: grand juries being authorised to present sums for their support not exceeding double the amount of private subscriptions; and advances for the erection of the buildings, repayable by instalments, were allowed to be made by government. In the following year, powers were granted by the legislature for the annual appointment throughout Ireland of officers of health, to act without salary, and to enforce the cleansing of streets and alleys; to abate nuisances; to fumigate the houses, clothing, and bedding of the inhabitants; and to prevent the spread of contagion by removing strolling beggars. Under these statutes, fever hospitals have been built in various parts of Ireland. There are three in Dublin; besides which, several general hospitals of the city have wards appropriated for the treatment of fever. In the extensive county of Cork, there are four fever hospitals; in Tipperary, eight; and one in each of the other counties.

Notwithstanding the good effects resulting from county infirmaries, it was found that the wants of the sick poor called for still more extended measures for their relief. The distance of many parts of every county from the infirmary, and the necessary limitation of numbers in it, disabled many from availing themselves of the advantages proposed to be afforded by its establishment. To remedy this defect, an act, passed in 1805, provided,

that on the receipt of private contributions for a dispensary to afford medical and surgical aid to the poor, grand juries should be empowered to present a sum equal to the amount of the private subscriptions paid in, to be applied in aid of the maintenance of such dispensary, and to be accounted for on oath. Under this statute, upwards of 400 dispensaries have been established, affording relief to more than half a million of sufferers.

The first asylum for the lunatic poor was founded in 1745 by the celebrated Dean Swift, who bequeathed 11,000*l.* for its maintenance. It supports 180 patients. With the exception of a few private institutions on a very limited scale, nothing farther was done for a long period. An hospital attached to the house of industry in Dublin, a large and well conducted asylum in Cork, and cells connected with some county infirmaries and poor houses, formed all the means provided for the medical and moral treatment, or even for the safe custody of the insane paupers of Ireland. The report of a committee on the lunatic poor, made in 1817, gives the following appalling description of the treatment of these unhappy creatures: — "There is nothing so shocking as madness in the cabin of the peasant, where the man is labouring in the fields for his bread, and the care of the woman of the house is scarcely sufficient for attendance on her children. When a strong young man is thus affected, the only way they have to manage is by making a hole in the floor of the cabin, not high enough for a person to stand up in, with a crib over it to prevent his getting out. The whole is about four feet deep: they give the wretched being his food in it, and there he generally dies." Wandering lunatics were dispersed over the country, in the most neglected and disgusting state. The recommendations of the committee now spoken of were followed up by legislative enactments giving them the force of law. The government was empowered to name certain districts, within which lunatic asylums should be erected; the expenses of the buildings were to be advanced out of the consolidated fund, and repaid by local taxation: their maintenance when erected, was provided for by grand jury presentments. Under these arrangements, eleven district asylums have been built, eight of which are in full operation, and two are in a great state of forwardness. Provision has thus been made for the reception of 1024 cases of insanity. There are eight private institutions, in which the friends of the patients pay for their maintenance, which accommodate 164 lunatics. Many cases are still received in prisons or infirmaries. The number of such cases, not in district asylums, was 1,579, according to the latest parliamentary return; thus giving a total of 2,603 insane persons, whether labouring under mania, idiocy or epilepsy, who require to be kept under restraint.

Houses of industry have been already noticed, as far as they bear upon the subject of vagrancy. Their institution was occasioned by a tract written by Dr. Woodward, bishop of Cloyne, entitled "An Argument in support of the Right of the Poor in Ireland to a National Provision." The act under which they were founded, directs that every such establishment is to be divided into four parts, for the infirm and refractory poor of each sex, and authorises the granting of licenses, and badges to beggars, a practice which was soon relinquished as not only useless, but impracticable. This description of pauper establishments appears never to have been highly estimated, as the number of them throughout Ireland does not exceed twelve, including the great central establishment in Dublin already noticed, which is supported exclusively by grants of public money. The combination of punishment and relief in the same institutions is deemed a fundamental defect in their constitution.

The public institutions for the support of orphans and deserted and destitute children are chiefly in the city of Dublin. The principal is the Foundling Hospital, opened in 1704 for the reception of destitute orphans and deserted children, of the age of infancy. These, after their admission, were sent out to nurse, generally in the counties of Wicklow and Carlow, and when of an

age proper for instruction, brought back to the central institution, educated, and apprenticed out to trades. The hospital is supported wholly by parliamentary grants, which from a daily increasing opinion of the unsoundness of the principle on which such institutions are based, are every year diminished, and additional obstacles put in the way of the admission of children into it. The Hibernian school in the Phœnix Park provides for the children of soldiers; the marine school for those of sailors. The Blue-coat Hospital was incorporated in 1760 for the maintenance of the children of decayed citizens of Dublin. The Female Orphan House, established originally from voluntary collections at charity sermons in the Protestant churches of Dublin, receives an annual grant of public money. The principal institution for the reception of old men, is the Royal Hospital at Kilmainham for invalid and superannuated soldiers, in which about 300 are supported. The house of industry is now chiefly a receptacle for the aged and impotent poor, having attached to it several infirmaries, and an asylum for idiotic and epileptic cases.

The foregoing statement of the means devised by the legislature, for meeting the claims of pauper disease and infirmity, shows that a provision has been made for the lunatic poor, which is considered by writers well calculated to give a sound opinion on the point, to be even more liberal than that afforded in England. The law and practice as to fever hospitals meets all the necessary claims, both of benevolence and of medical police. Infirmaries are established in every county except Waterford; and the dispensary system, combining private subscription with local assessment, and thus affording medical aid to upwards of half a million of sufferers, seems well calculated to produce a reciprocity of kindly feeling between the rich and poor, through the interchange of benevolence and relief. The concurrent testimony of several witnesses before parliamentary committees, justifies the opinion that the provision for the *sick* poor is even larger and more effective in Ireland than in England. In the latter, the institutions for their relief are erected only in large cities and towns, while in the former they are spread over the whole face of the country, and guarded in their management by strict and express statutes.

The charities maintained by the exertions of private benevolence, wholly independent of any aid from general or local taxation, are very numerous, and in general liberally supported. They comprehend orphan establishments, schools, hospitals for the aged and impotent, lying-in hospitals, infirmaries, dispensaries, asylums for female penitents, houses of refuge, societies for the temporary relief of sick and indigent room-keepers, and of strangers, savings' banks, charitable loans and mendicity associations. Such institutions are to be found chiefly in the cities and large towns. Dublin, Cork, Limerick, Waterford, Belfast, Londonderry and Drogheda, have each more or fewer of these charitable foundations. They are supported partly by donations, subscriptions, and bequests, and partly by collections at charity sermons. In Dublin, sermons of this nature are preached in one or other of the Roman Catholic places of worship, every Sunday throughout the year, with the exception of Easter; and few, if any, Sundays pass over without similar appeals to public bounty in several of the Protestant parochial churches and dissenting meeting houses. To enter into the details of management, even of the most remarkable, would be impossible in a summary of this nature: a mere catalogue of their names would be equally useless and uninteresting. The societies for the suppression of mendicity may however be deemed worthy of some further notice. They are among the later and the most singular of the benevolent institutions for lessening the amount of human misery in towns and thickly peopled districts. The distinguishing feature of the system is the supplying the able-bodied paupers with work at reduced rates, until they can be otherwise more profitably employed, and the affording

of food and shelter during the day to the aged and impotent, allowing both classes to provide themselves with lodging, for which a trifling weekly allowance is granted, in cases where the labour of the individual is insufficient to procure it. The plan was originally introduced into Belfast from Edinburgh, and being found practically useful there, was commenced in Dublin in 1818, on a scale commensurate with the greatness of the population, and the number of unemployed paupers, who had hitherto supported themselves in idleness on the contributions of the more affluent. The average annual income of the Dublin institution is 7,000*l.*, by means of which it is enabled to provide subsistence for about 2,000 paupers who had been, or otherwise would have been, mendicants. The success of the experiment was for some time very great, insomuch that several English philanthropists, who visited Ireland shortly after its formation, observed that they experienced as little annoyance from street begging in Dublin as in London. The example of the metropolis has been followed in several of the larger towns, and, in all cases, has had the effect of diminishing considerably the practice of street begging. In the county of Antrim, a considerable number of parishes have adopted the plan, for the relief of their own poor to the exclusion of strangers.

But though the amount of suffering arising from corporal infirmity, whether occasioned by sudden accident, or by the visitation of disease, be as much alleviated here as in any other country, that produced by the frequent destitution of large numbers of the able-bodied peasantry, has attained a magnitude that baffles all the efforts of voluntary charity. Low wages and inconstant employment, occasioned by a redundancy of population, and the usual exhaustion of the supply of potatoes of the previous year before the crop of the succeeding year can be made use of, seem to be the immediate causes of this state of things. Its prevalence, the wide spread of mendicity, and the despair and outrage to which it necessarily leads, has produced a strong and general conviction that the introduction of some sort of compulsory provision for the support of the destitute poor is absolutely necessary. We have elsewhere (vol. i. p. 440.) endeavoured to show the influence that the want of such provision has had in bringing about that minute and endless subdivision of the land that is the bane and curse of Ireland. It appears to be satisfactorily established, by the evidence taken before the commissioners for inquiring into the state of the Irish poor, that without a compulsory provision, the evil of subdivision will continue to gain ground. A number of landlords have, it is true, become fully aware of the mischievous nature of the practice, and have endeavoured, though in most cases with little success, to counteract it.* But many landlords do not participate in these views; and, unless some general and pretty stringent regulations be enforced, there is every reason to think that the practice of subdivision will continue to scatter its seeds and spread its roots on all sides.

Now, as it appears to us, nothing would be so likely to counteract this practice as the introduction of a compulsory provision for the poor. The obligation to support all the individuals settled on one's estate, in all time to come, in the event of their becoming unable to support themselves, would make all but the most inconsiderate adopt every possible precaution to prevent the undue increase of cottages and population, and to diminish them if they were excessive, not as at present, by turning out poor wretches with no alternative but that of starving or enlisting under the bannners of Captain Rock, but by providing for them, in a workhouse or otherwise, till means were found for their employment or emigration. A compulsory provision would, in this way, oppose an all but insuperable obstacle to the further subdivision of the land,

* Mr. Bicheno has fully established, in his *Report on the Poor of Ireland*, that the subdivision of the land has been but little counteracted, and that the condition of the peasantry has deteriorated materially since the country was visited by Arthur Young.

at the same time that it would do more than anything else to facilitate the consolidation of farms.

Landlords in Ireland have deceived themselves by supposing that if the small occupiers became unable to pay their exorbitant rents, or that if they chose to change the management of their estates, they might eject the cottiers and convert the lands held by them into larger tillage or pasturage farms. But, in point of fact, this, in three fourths of the country, is *no longer practicable!* The cottiers cling with desperate tenacity to their patches of land, and no wonder. They are the only resource on which they have to depend; and if turned out of them they can hardly escape falling into the extremest destitution. But as the same calamity that has overtaken one, or a few, may equally overtake others, the whole peasantry are instinctively led to combine together; the interest of each being identified with that of his order, every one looks with detestation upon any individual bold enough to come into the place of an ejected cottier. By doing so he makes himself a common enemy, and is marked out for exemplary vengeance, which rarely fails to overtake him, unless he purchase at a high price the *good will* of the tenant that has been ejected. It is quite a mistake to suppose, as many have done, that the Irish poor are wantonly savage and destructive. Nine-tenths of the outrages they commit are really the result of calculation and foresight, not of reckless and sudden impulses. They are the efforts of the peasantry to protect themselves from ruin — efforts forced upon them by the oppressive conduct of many landlords, and by the want of any refuge for the destitute. To such an extent, indeed, is the present combination of the occupiers of the soil carried, that whatever may be the cause of one of them leaving his possession, if "good will" be not paid, in other words, if a *guarantee of quiet possession* be not previously obtained, no other tenant dare enter upon it. This is so well understood in many parts, particularly in the south, that the landlord does not venture upon removing a tenant, though only holding from year to year, so long as he pays his rent, unless by his own consent!* and, even in that case, the occupier uniformly sells his "good will!" This extraordinary state of things, so unlike what obtains in England or any other country, has gone far to subvert the right of property: it forms an insuperable obstacle to all improvement; and unless effectual measures be resorted to for its suppression, it may, and, indeed, most probably will, terminate at no distant period, in the abolition of rent. From inability to eject a tenant except by his own consent, to inability to enforce payment of rent, there is but a step, and that, apparently, not a very difficult one; but should it be taken, the consequences would be most pernicious; the distribution of the land into small patches would be perpetuated, and the chances of improvement very greatly diminished.

The institution of a compulsory provision appears to be the only thing calculated to overcome this great difficulty. Were it established ejection from a small farm and ruin would no longer be identical. The ejected cottier and his family would be supplied with the means of subsistence till they were conveyed to the colonies, or till they found some means of getting employment and subsistence at home. The pressure of stern necessity would no longer provoke that desperate resistance now so successfully made to the law; and the possession of a small piece of land having ceased to be the *sine quâ non* of existence, it would be less reluctantly parted with.†

Some landlords have, even as things now stand, effected the consolidation of farms, by making provision for the ejected cottiers. The great majority, however, of those who have proceeded to clear their estates have not been

* Mr. Bicheno's *Report on Irish Poor*, p. 37.

† For some valuable remarks and statements on this subject, see Mr. Lewis' work on *Irish Disturbances*, pp. 308 — 338.

so humanely considerate, but have turned out the occupants without seeming to care what might become of them. There are not very many districts that have not been convulsed and disgraced by the frightful atrocities to which such conduct has given rise; and the feelings and sympathies of the public being on such occasions enlisted on the side of the cottiers, the difficulty of proceeding in this summary way is every day becoming greater. But is subdivision to be allowed to go on, and the power of the landlords over the soil to be wholly annihilated? Those who deprecate such results, and who would, at the same time, provide for the gradual return to a wholesome state of things, ought to support the introduction of a poor law. It is the one thing needful in Ireland. By interposing a barrier between the poor and absolute want it will give them a feeling of security of which they are at present wholly destitute, and will, consequently, render them less ready to embark in dangerous schemes, and more disposed to obey the law. And it will make the landlords take that interest in the proper management of their estates, and in the well-being of the people living upon them, which few of them have hitherto manifested. It is said, indeed, that there can be no real reform of the inveterate evils to which Ireland is a prey, "till the landlord learns to feel disgraced and humbled in his own eyes, at seeing his tenants so miserably clad, housed, and provided for." But if we wait for reform till this feeling takes voluntary root in the minds of the landlords, and acquires any practical influence, we shall not fare better than the clown in Horace—

> Rusticus expectat dùm defluat amnis; at ille
> Labitur, et labetur in omne volubilis ævûm.

The legislature must interfere, or all the evils that afflict and disgrace the country will go on increasing. "In Ireland improvement and civilisation must descend from above; they will not rise spontaneously from the inward workings of the community." The landlord must be made to know that the management of estates is, in future, to depend on something else than whim, or the mere promise of exorbitant rents; and that he is not to be allowed to subdivide the one day, presuming that if the speculation fail, he may set about "clearing" the next, without troubling himself about what may become of the wretches cast out. He owes a duty to the public which hitherto he has but rarely performed; and to insure its performance in future a compulsory provision for the support of the poor must be introduced. This would check subdivision, give the poor a "stake in the hedge," repress agrarian outrages, and lay the foundation of prosperity and good order.

We are aware that many difficulties would have to be overcome in introducing a system of poor laws; and that a great difference of opinion prevails, even among the friends of the measure, as to the sort of provision that should be established. The latter is a point as to which it would be necessary to exercise much caution. We incline to the opinion of Mr. Lewis, that, except in extreme cases, no relief should be afforded to the able-bodied, but destitute poor, unless in workhouses. And supposing that these were conducted on a proper system, but few individuals would be found to continue in them longer than compelled by inability to find employment. The commissioners for inquiring into the state of the Irish poor have recommended the imposition of a land tax for the purpose of facilitating emigration; and this, if combined with a judiciously contrived poor law, would be highly beneficial. The poor law would stimulate the landlords to endeavour to get rid of the surplus population on their estates, and emigration would provide a ready and advantageous outlet for the individuals that might in consequence be deprived of their accustomed means of subsistence. The two measures would naturally support and assist each other; and their combined influence would produce results that could not be expected to flow from the the single influence of either.

Various plans have at different times been suggested for alleviating the distress that prevails in Ireland by employing the peasantry in public works; and it has even been proposed to drain and cultivate the bogs at the public expense! But the objections to all schemes of this sort are too numerous and obvious to require to be stated. Any attempt to carry them into effect could not fail, by occasioning the waste and misapplication of the national capital, to be productive of the greatest mischief and inconvenience.

SECT. IV. *Friendly Societies, and Savings' Banks.*

National and individual charity, how ample soever, is but a sorry substitute for the want of a spirit of forethought and providence on the part of the poor. Happily this spirit prevails in a very high degree in England; and a good deal has recently been done to strengthen and extend its influence. Of the various means that have been suggested in this view, and for enabling the poor to provide a resource against sickness and old age, none seem so likely to accomplish their object as the institution of friendly societies and savings' banks. The former are founded on a principle of mutual insurance. Each member contributes a certain sum by weekly, monthly, or annual subscriptions, while he is in health; and receives from the society a certain pension or allowance when he is incapacitated for work by accident, sickness, or old age. Nothing, it is obvious, can be more unexceptionable than the principle of these associations. Owing to the general exemption from sickness until a comparatively late period of life, if a number of individuals under 30 or 35 years of age, form themselves into a society, and subscribe each a small sum from their surplus earnings, they are able to secure a comfortable provision for themselves in the event of their becoming unfit for labour. Any single individual who should trust to his own isolated efforts would plainly be placed in an infinitely more hazardous position. Whenever an unfavourable contingency exists, the best and cheapest way of obviating its effects is by uniting with others, each subjecting himself to a small privation, so that none may be overwhelmed by any great calamity. However industrious and frugal, an individual, not a member of a friendly society, might not be able to insure his independence; inasmuch as the occurrence of any accident, or an obstinate fit of sickness, might, by throwing him out of employment, and forcing him to consume the savings he had accumulated against old age, reduce him to a state of indigence, and oblige him to become dependent on the bounty of others. Hence the paramount utility of the societies in question.

For these and other reasons, which our limits will not permit us to state, we are glad to find that friendly societies have been very widely introduced. There were enrolled from the 1st of January, 1793, to the commencement of 1832, no fewer than 19,783 such societies; of which 16,596 were in England, 769 in Wales, 2,144 in Scotland, and 274 in Ireland. The societies existing in 1815 are said to have comprised 925,429 individuals. We have, however, some doubts as to the authenticity of this statement; but, if it may be depended on, the societies now in existence must comprise above 1,200,000 members! It should also be recollected that the progress of these societies, though great, and most honourable to the labouring population of Great Britain, has been not a little counteracted by the ignorance and mismanagement of their officers, and by the real difficulty of establishing them on a secure foundation. The great error has consisted in their fixing too high a scale of allowances. At their first institution they are necessarily composed of members in the prime of life; there is, therefore, comparatively little sickness and mortality amongst them. In consequence their funds rapidly accumulate; and they are naturally tempted to give too large an allowance to those members who are occasionally incapacitated. But the circumstances under which the society is placed at

an advanced period are materially different. Sickness and mortality are then comparatively prevalent. The contributions to the fund decline at the time that the outgoings increase; and it has not unfrequently happened that the society has become altogether bankrupt; and that the oldest members have been left, at the close of a long life, destitute of all support from a fund on which they had relied, and to which they had largely contributed.

But the errors in the constitution of friendly societies have been, in a great degree, amended. Various efforts, several of which have been productive of beneficial effects, have been made by private individuals and associations, and by the legislature, to obviate the chances of their failure, and to encourage their formation on sound principles. Two Reports, by committees of the House of Commons, on the laws respecting friendly societies, printed in 1825 and 1827, supply a great deal of important and useful information; and the Reports and tables published by the Highland Society are also valuable. There are, doubtless, several important points that still remain to be satisfactorily cleared up; but, in the mean time, enough has been done to enable government to interfere with effect in assisting the formation of friendly societies on a solid foundation. In this view several statutes have, at different times, been passed; but the act 10 Geo. 4. c. 56. repealed all previous statutes, and with the act 4 and 5 Will. 4. c. 40. embodies the existing law upon the subject. All friendly societies, claiming the benefit of these acts, are obliged to submit a statement of their rules and regulations for the approval of the officer appointed by government for that purpose; and it is only in the event of their being approved by him, and the tables of payments and allowances appearing suitable to the justices, that the society is to be confirmed by the latter, and becomes entitled to the privileges conferred by the acts in question. These consist in being allowed to invest the funds of the society in government securities at a minimum rate of interest ($2\frac{1}{2}d.$ per cent. per diem), and in the funds of savings' banks. But it is, of course, open to any individuals, not seeking any connection with government, to establish friendly societies on any terms they may think proper.

Savings' Banks. — Though not so well calculated as friendly societies to enable the labouring classes to provide against sickness and old age, savings' banks are very valuable institutions, and are eminently entitled to the public patronage and support. The want of a safe place of deposit for their savings, where they would yield them a reasonable interest, and whence they could withdraw them at pleasure, has formed one of the most serious obstacles to the formation of a habit of accumulation among labourers. Public banks do not generally receive a less deposit than 10*l.*; and there are but very few amongst the labouring classes who find themselves suddenly masters of so large a sum; while, to accumulate so much by the weekly or monthly saving of a few shillings, appears at first view almost a hopeless task; and should an individual have the resolution to attempt it, the temptation to break in upon his little stock at every call of necessity might be too strong to resist. At all events, the progressive addition of interest is lost during the period of accumulation, and it even frequently happens, that the chest of the servant or labourer is not safe from the depredations of the dishonest; while the very feeling of insecurity which such a circumstance inspires, must operate as a fatal check to habits of saving. A similar effect results from the instances that have often occurred, where those poor persons who had, in despite of every discouragement, accumulated a little capital, have been tempted by the offer of a high rate of interest, to lend it to persons of doubtful characters and desperate fortunes, whose bankruptcy has involved them in irremediable ruin. It is plain, therefore, that nothing could be productive of greater advantage, with a view to the formation of those new and improved habits, that must necessarily result from the diffusion of a spirit of frugality and forethought among the poor, than the institution of savings' banks, or places

of safe, convenient, and advantageous deposit for their smallest savings. They are no longer tempted, from the want of facility of investment, to waste what little they can save from their expenditure in frivolous or idle gratifications. They now feel assured that their savings, and the interest accumulated upon them, will be faithfully preserved to meet their future wants: and as there are very few who are insensible of the blessings of independence, there is no reason to suppose that they will be slow to avail themselves of the means of accumulation now in their power.

All moneys paid into any savings' bank, established according to the provisions of the act, 9 Geo. 4. c. 92., are ordered to be paid into the banks of England and Ireland, and vested in bank annuities or exchequer bills. The interest payable to depositors is not to exceed $2\frac{1}{2}d.$ per cent. per diem, or 3*l.* 8*s.* $5\frac{1}{4}d.$ per cent. per annum. No depositor can contribute more than 30*l.*, exclusive of compound interest, to a savings' bank in any one year; and the total deposits to be received from any one individual are not to exceed 150*l.*; and whenever the deposits and compound interest accruing upon them, standing in the name of any one individual, shall amount to 200*l.*, no farther interest shall be paid upon such deposit. The number of depositors in savings' banks, in England, Wales, and Ireland, on the 20th of November, 1834, amounted to 499,207, and the deposits to 15,369,814*l.*, giving an average deposit of 30*l.* 16*s.* to each. We subjoin

An account of the Number of Depositors, classified according to the magnitude of their Deposits, and of the total and average Amount of such Deposits, in England, Wales, and Ireland, on the 20th November, 1834.

Depositors.	England.			Wales.		
	Number of Depositors.	Amount of Investment.	Average Investment by each Depositor.	Number of Depositors.	Amount of Investment.	Average Investment by each Depositor.
	L.	*L.*	*L.*		*L.*	*L.*
Under 20	229,247	1,664,900	7·0	5,555	42,936	7·7
— 50	121,769	3,731,454	30·6	3,849	103,358	30·2
— 100	52,757	3,636,732	68·9	1,367	92,152	67·6
— 150	16,343	2,198,417	134·0	400	47,495	118·7
— 200	9,678	1,638,209	169·3	181	30,272	167·2
Above 200	3,081	772,990	250·9	61	14,163	232·1
Total	431,815	13,582,102	31·2	11,183	336,976	30·1

	Ireland.			Total England, Wales, and Ireland.		
	L.	*L.*	*L.*	*L.*	*L.*	*L.*
Under 20	25,561	193,919	7·5	260,363	1,841,755	7·1
— 50	19,769	606,985	30·7	145,187	4,177,597	30·6
— 100	5,916	385,393	64·8	60,040	4,114,177	68·5
— 150	1,318	158,625	120·4	20,031	2,404,535	120·0
— 200	516	88,472	171·5	10,375	1,756,953	169·3
Above 200	69	17,374	257·8	3,211	804,527	250·6
Total	53,179	1,450,766	27·3	499,207	15,369,814	30·8

There is no return of the Scotch savings' banks; at all events, no return has been published.

The well-established system of banking that has long existed in Scotland, and the practice adopted by all the Scotch banks, of receiving deposits of the amount of 10*l.*, and sometimes less, and paying interest on them at about 1 per cent. below the market rate, has been productive of the greatest benefit. It has, as it were, extended the advantages of the savings' bank system to all classes of the community, and has, in consequence, contributed materially to diffuse a spirit of economy and accumulation among the middle and upper, as well as the lower classes. The aggregate deposits in the different Scotch banks may, at this moment, be estimated at from 20,000,000*l.* to 25,000,000*l.*, producing an interest of about $2\frac{1}{2}$ per cent.: and we believe it may be safely affirmed, that but for the facilities of accumulation afforded by the Scotch banking system, the half of these deposits would never have existed! It is to be regretted that the Bank of England gives no interest on deposits either at the head office in the metropolis, or at any of her branches. Perhaps she has

good reasons for declining to undertake the responsibility that the receiving of deposits at interest in the metropolis would, undoubtedly, bring along with it. But if she could, consistently with her own security, receive deposits on the plan followed by the Scotch banks, it would be productive of the greatest advantages; and would do more to promote accumulation than could be done by any other measure it seems practicable to suggest. — (See *antè*, p. 170.)

Savings' Bank Annuities. — Within these few years government has adopted the principle of selling immediate or deferred annuities, of not less than 4*l.* or more than 20*l.* a year, to the labouring classes not under 15 years of age. Such annuities are sold under the provisions of the act 3 and 4 Will. 4. c. 14. The purchaser may either pay down the whole sum at once, or he may pay it by weekly, monthly, or yearly instalments. And to encourage parties to buy, it is provided, that if an individual become unable to continue his payments, or die before the deferred annuity commences, all the sums he has paid are to be returned, without interest, to his executors or family. All negotiations for annuities of this description are to be conducted through savings' banks, and hence their name.

Much, though, as it appears to us, very little deserved, eulogy has been lavished upon this statute. No doubt it was dictated by the best intentions on the part of government, and it may, in various instances, be advantageous to the parties. Still, however, we cannot help considering the principles on which it is bottomed as radically unsound. If government will interfere in such matters, its object ought to be to diffuse a spirit of accumulation and forethought into all classes, and, in as far as possible, to make people live for others as well as for themselves. But the savings' banks annuity act proceeds on entirely opposite principles. So far as it extends, its influence is subversive of accumulation, and goes to encourage the selfish and unsocial propensities, by tempting individuals to consume their whole property during their life time, without thinking or caring any thing about those who may come after them. One of the grand objections to the method of borrowing formerly practised in France was, that the debt was principally funded in *rentes viagères*, or life annuities, and consequently that it tended to keep up and diffuse spendthrift and careless habits. The influence of the system now alluded to, though less in degree, is precisely of the same kind. Had government given facilities to the middle and lower classes for insuring sums for their wives and children, in the event of their death, it might have been highly advantageous. But the system they have set on foot does not encourage providence, but extravagance; and, if extensively acted upon, would be so very hostile to the public interests that it would have to be put down by legislative interference.

Private Charities. — Exclusive of the immense sums raised by compulsory assessment, there is no country in which such large sums are voluntarily subscribed for the support and education of the poor as in England. We have already given a statement (see *antè*, p. 453.) of the annual revenue arising from property left for the benefit of charitable institutions in those counties of England and Wales, the charitable foundations of which have been investigated by the commissioners. But the income derived from the property so left, though, with proper management, it would amount to a very large sum, is undoubtedly far below the sums annually expended in voluntary donations to charitable establishments, and in gifts to individuals. In all parts of the country there are hospitals, dispensaries, schools, and all descriptions of miscellaneous charities supported by such means. The very catalogue of the names of such charities in London and other large towns would occupy a considerable space. A good deal of jobbing and abuse is believed to have insinuated itself into not a few of these establishments: but, speaking generally, they are well managed and have been productive of much good.

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